

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

10:00 AM

6:18-17760 Erika Abrego Castro

Chapter 7

#1.00

Prenovost, Normandin, Bergh & Dawn - movant attorney

Motion for Relief from Stay

LBS Financial Credit Union vs. DEBTOR
(Motion filed 12/4/18)

Re: 2014 Chrysler 300

EH_____

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Erika Abrego Castro

Represented By
Edgar P Lombera

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

10:00 AM

6:18-18305 Julio Elenes

Chapter 7

#2.00

Tiffany & Bosco - movant attorney

Motion for Relief from Stay

Bank of America vs. DEBTOR
(Motion filed 12/14/18)

Re: 2017 Chevrolet Suburban

Docket 20

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Julio Elenes

Represented By
Richard F Lemus

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

10:00 AM

6:18-18532 Bradley Dee Johnson and Joellen Gill-Johnson

Chapter 7

#3.00

Wright, Finlay, Zak, LLP - movant attorney

Motion for Relief from Stay

The Bank of New York Mellon vs. DEBTORS
(Motion filed 11/20/18)

Re: 41626 Slice Way, Temecula, CA 92591-7939

EH_____

Docket 12

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Bradley Dee Johnson

Represented By
Edmond Richard McGuire

Joint Debtor(s):

Joellen Gill-Johnson

Represented By
Edmond Richard McGuire

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

10:00 AM

CONT... Bradley Dee Johnson and Joellen Gill-Johnson

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

10:00 AM

6:18-18793 Oscar Sanchez

Chapter 7

#4.00

McCarthy & Holthus, LLP - movant attorney

Motion for Relief from Stay

JPMorgan Chase Bank, National Association vs. DEBTOR
(Motion filed 12/17/18)

Re: 2051 S. Home St, Oceanside, CA 92054

EH_____

Docket 25

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(4) with 4001(a)(3) waiver and extraordinary relief, as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Oscar Sanchez

Pro Se

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

10:00 AM

6:18-19141 Matthew S. Green

Chapter 7

#5.00

Cheryl Skigin - movant attorney

Motion for Relief from Stay

Financial Services Vehicle Trust vs. DEBTOR
(Motion filed 11/30/18)

Re: 2017 BMW X3 Utility 4D 28i 2WD

EH_____

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Matthew S. Green

Represented By
Keith Q Nguyen

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

10:00 AM

6:18-19174 Cecil Jerry Edens, Jr

Chapter 7

#6.00

Barrett Daffin Frappier Treder & Weiss, LLP - movant attorney

Motion for Relief from Stay

The Bank of New York Mellon vs. DEBTOR
(Motion filed 12/10/18)

Re: 45251 Saint Tisbury Street, Temecula, CA 92592

EH_____

Docket 29

***** VACATED *** REASON: Order continuing hearing to 4/16/18 @
10:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cecil Jerry Edens Jr

Represented By
Joseph A West

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

10:00 AM

6:18-19321 Steve G Reed and Lee Ann Reed

Chapter 7

#7.00

Aldridge Pite, LLP - movant attorney

Motion for Relief from Stay

MUFG Union Bank vsI DEBTORS
(Motion filed 12/6/18)

Re: 30571 Longhorn Drive, Canyon Lake, California 92587

EH_____

Docket 12

*** VACATED *** REASON: Case Dismissed 12/21/18 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Steve G Reed

Represented By
David L Nelson

Joint Debtor(s):

Lee Ann Reed

Represented By
David L Nelson

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

10:00 AM

6:18-19436 Melissa F. Moss

Chapter 7

#8.00

Kimball, Tirey & St. John, LLP, movant attorney

Motion for Relief from Stay

Brixton NSE MV. LP vs. DEBTOR
(Motion filed 12/12/18)

Re: 13400 Elsworth St. #309, Moreno Valley, CA 92553

EH __

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver. The request for an annulment is denied as Movant has provided no evidence demonstrating that such relief is warranted.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Melissa F. Moss

Represented By
Kevin Tang

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

10:00 AM

6:18-19461 John G. Madrous and Marialinet V. Madrous

Chapter 7

#9.00

Cooksey, Toolen, Gage, Duffy & Woog, movant attorney

Motion for Relief from Stay

TD Auto Finance, LLC vs. DEBTOR; Todd Frealy, Ch 7 Trustee
(Motion filed 11/27/18)

Re: 2015 Nissan Pathfinder, VIN 5N1AR2MNXFC709078

EH____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

John G. Madrous

Represented By
Keith Q Nguyen

Joint Debtor(s):

Marialinet V. Madrous

Represented By
Keith Q Nguyen

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

10:00 AM

CONT... John G. Madrous and Marialinet V. Madrous

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

10:00 AM

6:18-19578 Maria E. Cuevas

Chapter 7

#10.00

Cheryl Skigin - movant attorney

Motion for Relief from Stay
(Motion filed 11/30/18)

Re: 2013 BMW X3 XDrive28i

EH_____

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Maria E. Cuevas

Represented By
Christopher J Langley

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

10:00 AM

6:18-20092 Nannette Melendez

Chapter 7

#11.00

Law Offices of Vincent V. Frounjian, P.C. - movant attorney

Motion for Relief from Stay

American Honda Finance Corporation vs. DEBTOR, Arturo Cisneros, chapter 7 trustee
(Motion filed 12/14/18)

Re: 2015 HONDA CR-V, VIN: 3CZR M3H5 9FG7 00353 .

EH_____

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Nannette Melendez

Represented By
Edgar P Lombera

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

11:00 AM

6:17-17176 Lluvia Isabel Garcia

Chapter 7

#12.00

Hrg. on Trustee's Motion for order to disallow claims

(1) Claim No. 8 - LVNV Funding, LLC as assignee of Soaring Capital, Inc.

(2) Claim No. 9-LVNV Funding, LLC as assignee of GE Money Bank

(3) Claim No. 11 - LVNV Funding LLC as assignee of GE Money Bank

(4) Claim No. 12-LVNV Funding LLC as assignee of CitiFinancial, Inc.

EH_____

Docket 21

Tentative Ruling:

Tentative for 1/08/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Lluvia Isabel Garcia

Represented By
Marlin Branstetter

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

11:00 AM

6:17-17176 Lluvia Isabel Garcia

Chapter 7

#13.00

Hrg. on chapter 7 trustee's Motion filed 11/20/18 for order disallowing Claim No. 6 Pinnacle Credit Services, LLC.

EH_____

Docket 26

Tentative Ruling:

Tentative for 1/08/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Lluvia Isabel Garcia

Represented By
Marlin Branstetter

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

11:00 AM

6:18-14917 Hao Wang

Chapter 7

#15.00

Hrg. on Second Motion to Extend Deadline Within Which the Chapter 7 Trustee or the Office of the U.S. Trustee May File an Objection to Debtor's Discharge Pursuant to 11 U.S.C. Section 727

EH ____

Docket 50

Tentative Ruling:

Tentative for 1/08/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Hao Wang

Represented By
Sam X J Wu

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

1:30 PM

6:17-15749 Foster Enterprises, a California general partnersh

Chapter 11

#16.00

Hrg on Order to Show Cause why the Court should not dismiss or convert
Chapter 11 Case

EH _____

Docket 0

Tentative Ruling:

Tentative for 1/08/19:

Convert the case to Chapter 7.

Appearance required.

Party Information

Debtor(s):

Foster Enterprises, a California

Represented By
Dean G Rallis Jr
Matthew D Pham
Gregory K Jones

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

1:30 PM

6:17-15749 Foster Enterprises, a California general partnersh

Chapter 11

#17.00

Hrg. on Chapter 11 Status Conference

(Cont. from 11/6/18)

EH ____

Docket 1

Tentative Ruling:

Tentative for 1/08/19:

Convert the case to Chapter 7.

Appearances required.

Party Information

Debtor(s):

Foster Enterprises, a California

Represented By
Dean G Rallis Jr

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

1:30 PM

6:17-15749 Foster Enterprises, a California general partnersh

Chapter 11

#18.00

Law Offices of Alan F. Broidy, movant attorney

Motion for Relief from Stay

Allstar Financial Services, Inc vs. DEBTOR
(Motion filed 12/18/18)

Re: 13610 S. Archibald Ave., Ontario, CA 91761

EH _____

Docket 379

Tentative Ruling:

Tentative for 1/08/19 is to GRANT under § 362(d)(2).

It is undisputed that there is no equity in the property. While it appears that the property is necessary for an effective reorganization, the Debtors have not provided evidence sufficient to meet their burden that there is a reasonable possibility of a successful reorganization within a reasonable time. *See United Sav. Ass'n of Tex. v. Timbers of Inwood Forest Assocs., Ltd. (In re Timbers of Inwood Forest Assocs., Ltd.)*, 484 U.S. 365, 375–76 (1988); *see also, e.g., In re Kadlubek Family Revocable Living Tr.*, 545 B.R. 660, 666 (Bankr. D.N.M. 2016) (finding a liquidation plan may qualify as a successful reorganization to satisfy this burden). This burden is a "moving target," increasing as the case progresses. *In re Sun Valley Newspapers, Inc.*, 171 B.R. 71, 75 (B.A.P. 9th Cir. 1994) ("Courts usually require the debtor to do more than manifest unsubstantiated hopes for a successful reorganization."); *see also In re F & F, LLC*, No. BAP.CC-10-1083-HDMK, 2010 WL 6452907, at *6 (B.A.P. 9th Cir. Sept. 21, 2010) (affirming the bankruptcy court's finding that a report that "a deal is just around the corner" was "pure speculation" and not "evidence of a reasonable likelihood of a successful deal that can be concluded in a reasonable time"). As cited in Debtors' Opposition, once the exclusivity period has expired, a debtor must demonstrate that reorganization within a

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

1:30 PM

CONT... **Foster Enterprises, a California general partnersh** **Chapter 11**
reasonable time is "assured." See *Sun Valley Newspapers*, 171 B.R. at 75.

This case was filed in July, 2017. Debtors have filed three plans and disclosure statements, all of which have been withdrawn or denied in part due to the failure to satisfy the statutory requirements for payment of the IRS lien. Debtors have provided no evidence of an agreement with the IRS, with whom Debtors have been negotiating for over a year. Debtors have acknowledged they do not have an alternative exit strategy without such an agreement. Concurrently set for hearing today is an Order to Show Cause Why the Case Should not be Dismissed or Converted, for which the tentative ruling is to convert to Chapter 7. In light of the foregoing, Debtors' claims of a potential pending sale offer for the Ontario Property (the subject of this Motion) and a potential future agreement with the IRS are not sufficient to establish that reorganization is "assured."

Appearances required.

Party Information

Debtor(s):

Foster Enterprises, a California

Represented By
Dean G Rallis Jr
Matthew D Pham
Gregory K Jones

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 8, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#19.00

Hrg. on Debtor's motion filed 11/21/18 for approval of chapter 11 Disclosure Statement

EH_____

Docket 53

***** VACATED *** REASON: Continued to 2/5/19 at 1:30 pm per order entered 12/18/18 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar

Tuesday, January 8, 2019

Hearing Room 126

1:30 PM

6:18-19790 Linda Rene Basquez

Chapter 11

#20.00

Hrg. on Chapter 11 Status Conference

Docket 0

*** VACATED *** REASON: Case transferred to Judge Johnson due to
prior filing - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Linda Rene Basquez

Represented By
Robert B Rosenstein

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Tuesday, January 8, 2019

Hearing Room 5C

11:00 AM

6:17-18331 Holly Mae Schlendering

Chapter 7

#14.00

Hrg. on Order to Show Cause why J. Scott Bennett should not be held in Contempt of Court pursuant to 11 U.S.C. Section 105 and Federal Rule of Bankruptcy Procedures 9020

EH ____

Docket 1

Tentative Ruling:

Tentative for 1/08/19:

In light of the government shut down, the tentative is to continue this matter to February 19, 2019, at 11:00 a.m., unless the UST contacts chambers by noon on January 7, 2019 to request the hearing go forward.

Appearances are excused.

Party Information

Debtor(s):

Holly Mae Schlendering

Represented By
J Scott Bennett

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 9, 2019

Hearing Room 126

10:00 AM

6:18-18167 Rudy Ramos

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Wells Fargo Bank, in the amount of \$12,797.28

Re: 2015 Chevrolet Truck

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rudy Ramos

Represented By
Michael H Colmenares

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 9, 2019

Hearing Room 126

10:00 AM

6:18-18323 NICOLE MARIE GRIMM

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Bank of the West, in the amount of \$6,480.11

Re: 2014 Ford Escape

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

NICOLE MARIE GRIMM

Represented By
Mark D Edelbrock

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 9, 2019

Hearing Room 126

1:30 PM

6:14-19919 Pradeep Singh

Chapter 7

Adv#: 6:14-01304 Taylor v. Singh et al

#4.00

STATUS CONFERENCE RE: Complaint by Carole Taylor against Rindi P Singh, Pradeep Singh. false pretenses, false representation, actual fraud)),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)),(41 (Objection / revocation of discharge - 727(c),(d),(e)))

(Cont. from 8/1/18)

EH_____

Docket 1

***** VACATED *** REASON: Order entered on 12/20/18; Cont. to 5/15/19
at 1:30 p.m. - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Pradeep Singh

Represented By
M Wayne Tucker

Defendant(s):

Rindi P Singh

Represented By
Solomon A Cheifer
M Wayne Tucker

Pradeep Singh

Represented By
M Wayne Tucker

Joint Debtor(s):

Rindi P Singh

Represented By
M Wayne Tucker

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 9, 2019

Hearing Room 126

1:30 PM

CONT... Pradeep Singh

Chapter 7

Solomon A Cheifer

Plaintiff(s):

Carole Taylor

Represented By
Elliott R Speiser

Trustee(s):

Arturo Cisneros (TR)

Pro Se

Arturo Cisneros (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (RS)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 9, 2019

Hearing Room 126

1:30 PM

6:14-19919 Pradeep Singh

Chapter 7

Adv#: 6:14-01300 Bruner et al v. Singh

#5.00

Status Conference re: Complaint by John Bruner, Irene Bruner against Pradeep Singh pursuant to §523(a)(2) and §523(a)(4)

(Cont. from 8/1/18)

EH_____

Docket 1

***** VACATED *** REASON: Cont. to 5/15/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Pradeep Singh

Represented By
M Wayne Tucker

Defendant(s):

Pradeep Singh

Pro Se

Joint Debtor(s):

Rindi P Singh

Represented By
M Wayne Tucker

Plaintiff(s):

John Bruner

Pro Se

Irene Bruner

Pro Se

Trustee(s):

Arturo Cisneros (TR)

Pro Se

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 9, 2019

Hearing Room 126

1:30 PM

CONT... Pradeep Singh

Chapter 7

U.S. Trustee(s):

United States Trustee (RS)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 9, 2019

Hearing Room 126

1:30 PM

6:14-19919 Pradeep Singh

Chapter 7

Adv#: 6:14-01302 Cooper et al v. Singh

#6.00

STATUS CONFERENCE Re: Complaint by William Cooper, Cheryl Cooper against Pradeep Singh. false pretenses, false representation, actual fraud)),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny))

(Cont. from 8/1/2018)

EH_____

Docket 1

*** VACATED *** REASON: Cont. to 5/15/19 @ 1:30 p.m. per order signed 12/26/18 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

3rd Party Defendant(s):

Pradeep Singh Pro Se

3rd Party Plaintiff(s):

Cheryl Cooper Pro Se

William Cooper Pro Se

Debtor(s):

Pradeep Singh Represented By
M Wayne Tucker

Defendant(s):

Pradeep Singh Pro Se

Joint Debtor(s):

Rindi P Singh Represented By
M Wayne Tucker

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 9, 2019

Hearing Room 126

1:30 PM

CONT... Pradeep Singh

Chapter 7

Plaintiff(s):

William Cooper

Represented By
Gregory W Brittain

Cheryl Cooper

Represented By
Gregory W Brittain

Trustee(s):

Arturo Cisneros (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (RS)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 9, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania

Chapter 7

Adv#: 6:18-01199 Gould v. Mulvania

#7.00

STATUS CONFERENCE re: Complaint by Scott C. Gould against Christopher John Mulvania - §523(a)(2)(A), § 727(c),(d),(e)

EH_____

Docket 1

Tentative Ruling:

Tentative for 1/9/19 is to set the following dates/deadlines:

1. Discovery cutoff: April 15, 2019 Note: this date includes the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: May 30, 2019. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
4. Pretrial conference: July 3, 2019 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of sanctions, including the striking of the answer and dismissal of the complaint.

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Christopher John Mulvania

Pro Se

Plaintiff(s):

Scott C. Gould

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 9, 2019

Hearing Room 126

1:30 PM

CONT... Christopher John Mulvania

Jeffrey J Hagen

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 9, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania

Chapter 7

Adv#: 6:18-01201 Turoci v. Mulvania

#8.00

STATUS CONFERENCE Re: Complaint by Todd Turoci against Christopher John Mulvania - §523(a)(2)(A), (B), §727(c),(d),(e)

EH_____

Docket 1

Tentative Ruling:

Tentative for 1/9/19 is to set the following dates/deadlines:

1. Discovery cutoff: April 15, 2019 Note: this date includes the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: May 30, 2019. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
4. Pretrial conference: July 3, 2019 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of sanctions, including the striking of the answer and dismissal of the complaint.

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Christopher John Mulvania

Pro Se

Plaintiff(s):

Todd Turoci

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 9, 2019

Hearing Room 126

1:30 PM

CONT... Christopher John Mulvania

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, January 9, 2019

Hearing Room 5C

11:00 AM

8:18-11215 Nitikorn Thipavong

Chapter 7

#3.00

Hearing RE: Order To Show Cause Why Creditor With Nondischargeable Judgment Against Debtor Should Not Receive Distribution Directly From Estate Surplus Funds
(Set per Order Entered 12/10/18)

Docket 68

Tentative Ruling:

Tentative for 1/9/19:

Appearances required.

Party Information

Debtor(s):

Nitikorn Thipavong

Represented By
Catherine Christiansen

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 10, 2019

Hearing Room 5C

10:00 AM

8:18-13840 Dudji, Inc.

Chapter 7

#1.00

Motion for relief from stay [Unlawful Detainer]

Waterfall Investments, LLC vs. DEBTOR
(Motion filed 12/20/18)

[RE: 931 S. Cypress, La Habra, CA 90631]

Docket 41

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(2) with 4001(a)(3) waiver and annulment as requested.

Movant has provided evidence that its actions in obtaining and enforcing the default judgment for unlawful detainer after the dismissal of Debtor's case was vacated were taken without knowledge that the case had been returned to active status, as Debtor did not appear at the hearing or advise Movant or the state court that Debtor's case had been reinstated. Further, Debtor has not provided any evidence that annulment is not warranted. Pursuant to 11 U.S.C. § 362(g), debtor bears the burden of proof on this issue. *See also Souang v. Fularon*, 2011 Bankr. LEXIS 4335 (9th Cir. BAP 2011) ("[T]he debtor bears the ultimate burden of proving that the request for retroactive relief from the stay should be denied.").

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Dudji, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 10, 2019

Hearing Room 5C

10:00 AM

CONT... Dudji, Inc.

Chapter 7

Arash Shirdel

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 10, 2019

Hearing Room 5C

10:00 AM

8:18-14319 Frankie Javier Mercado, Jr.

Chapter 7

#2.00

Motion for relief from stay [Unlawful Detainer]

GE Park Pointe LLC; Hassan Kheradmandan, Trustee Of The Kheradmandan Family Trust vs. DEBTOR
(Motion filed 12/12/18)

**[RE: Nonresidential - 23681 Via Linda, Suite A, Mission Viejo, CA 92691]
[And A \$25,930.92 Security Deposit]**

Docket 19

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Frankie Javier Mercado Jr.

Represented By
Timothy McFarlin

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 10, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#3.00

Hearing RE: Approval Of Disclosure Statement Describing Joint Chapter 11 Plan Of Liquidation Of CA Express Fund, LLC, And WJA Express Fund, LLC (D.S. filed 11/29/18)

Docket 705

Tentative Ruling:

Tentative for 1/10/19 is to APPROVE.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall

Robert S Marticello

Michael Simon

Philip E Strok

Kyra E Andrassy

Roger F Friedman

Susan K Seflin

Steven T Gubner

Corey R Weber

Michael W Davis

Kathy Bazoian Phelps

Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 10, 2019

Hearing Room 5C

11:00 AM

8:17-12660 Chrestotes, Inc

Chapter 11

#4.00

CONT'D Hearing RE: Application For Final Fees And/Or Expenses For The Period From July 1, 2017 Through October 31, 2018 (Application filed 11/15/18)

**[RE: LAW OFFICES OF DAVID A. TILEM - Attorney For Debtor]
[Fees: \$119,995.00; Expenses: \$6,011.36]**

FR: 12-20-18

Docket 255

Tentative Ruling:

Tentative for 1/10/19:

Appearances required.

Tentative for 12/20/18 is to APPROVE less \$8,023.25, as noted below.

The Court has received and reviewed the Client's Declaration in response filed 12/13/18 [Dk. 260] and notes that no substantive basis was provided for objecting to the requested fees. The Court, however, has an independent duty to examine the reasonableness of the fees and expenses requested by retained professionals. *In re Auto Parts, Inc.*, 211 B.R. 29, 33 (9th Cir. B.A.P. 1997). Based on its independent review, the Court is inclined to make the reductions listed below.

Reduction for Clerical Work

Applicant billed \$520 in fees related to what appears to be the "assembling" of documents, which the Court will not allow. Services that are clerical in nature are properly chargeable to the firm as an overhead expense and not to the bankruptcy estate. *In re Sonicblue Inc.*, 2006 Bankr. LEXIS 1576 (Bankr. N.D. Cal. July 20, 2006). The following services and the supervising of any of the

**United States Bankruptcy Court
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Santa Ana
Judge Scott Clarkson, Presiding
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Thursday, January 10, 2019

Hearing Room 5C

11:00 AM

CONT... Chrestotes, Inc

Chapter 11

following activities may be clerical in nature: downloading files, indexing, locating and retrieving, filing, electronically filing, organizing, forwarding and serving documents, conducting PACER searches, preparing proofs of service, scheduling or calendaring, and filing and serving pleadings. *Id. See also In re Michael J. Schneider*, 2007 Bankr. LEXIS 3652 (October 22, 2007) (Application incurred for monitoring and reviewing the docket, calendaring, organizing documents and files, ordering transcripts, locating, retrieving, and distributing documents, serving pleadings and preparing proofs of service, and e-filing and uploading pleadings, which must be absorbed by the applicant's firms as an administrative expense).

Lodestar Reductions

Bankruptcy courts generally apply the lodestar method to assess the reasonableness of fees. *In re Morry Waksberg M.D., Inc.*, 2015 WL 9437343, at *4 (B.A.P. 9th Cir. Dec. 22, 2015) (unpublished) (citation omitted). The lodestar method multiplies the number of hours reasonably expended by a reasonable hourly rate for the person providing the services. *Id. See also Gonzalez v. City of Maywood*, 729 F.3d 1196, 1202 (9th Cir. 2013).

Applying the relevant factors, the Court finds that the rates charged by Applicant are reasonable, but that the time spent was excessive. The Court is mindful that Applicant was active and ultimately able to achieve confirmation. Even so, however, the fees charged by Applicant are just beyond the range of reasonableness.

In computing the lodestar amount, courts must determine a reasonable number of hours for which the applicant should be compensated. *See Gonzalez*, 729 F.3d at 1202. "Reasonable" means "[t]he number of hours . . . [which] could reasonably have been billed to a private client," such as hours that are excessive, redundant or unnecessary. *Id.* The court may exclude unreasonable time entries by either: (1) conducting an "hour-by-hour analysis of the fee request"; or (2) making an across-the-board percentage cut either in the number of hours claimed or in the final lodestar figure. *Id.* (citation omitted). With an across-the-board percentage cut, the court must "set forth a concise but clear explanation of its reasons for choosing a given percentage reduction." *Id.* at 1203.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
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Thursday, January 10, 2019

Hearing Room

5C

11:00 AM

CONT...

Chrestotes, Inc

Chapter 11

First, Applicant billed approximately \$9,000 in fees attributable to the motion to use cash collateral and use of property of the estate not in the ordinary course of business, relating to the proposed retention of an unlicensed contractor for roof repairs. This motion was ultimately withdrawn on November 28, 2017 [Dk. 104]. Applicant then billed approximately \$1,100 for a second motion regarding use of cash collateral and estate property, which was granted. The benefit to the estate of the \$9,000 spent on a motion that was ultimately withdrawn (and later revised and refiled) is not sufficiently demonstrated. The Court has carefully reviewed the billing records submitted by Applicant and determines that a 50% across-the-board percentage cut of the time attributable to the withdrawn motion is appropriate. Therefore, the Court will approve \$4,500, half of the amount billed for the original motion.

Second, the Court notes that Applicant billed 121.70 hours, or \$60,065, attributable to the disclosure statement and plan. The Court finds this amount excessive in light of the denial of the Amended Disclosure Statement on April 26, 2018 [Dk. 195], and is inclined to reduce this amount by 5%, or \$3,003.25. The Court has carefully reviewed the billing records submitted by Applicant and determines that a 5% across-the-board percentage cut of the time attributable to the plan and disclosure statement is appropriate. The billing records contain entries that reflect repeated efforts, for which the benefit to the estate is unclear. Based upon the Court's review of the record and its own experience, the Court finds a 5% reduction appropriate.

Conclusion

The total fees sought (excluding expenses) are \$119,995. Applying the reductions of the \$520, the \$4,500 and the \$3,003.25, for a total fee reduction of \$8,023.25, the Court awards Applicant \$111,917.75 in total fees plus \$6,011.36 in total expenses for a total award of \$117,983.11. Applicant has been paid a retainer of \$11,717, thus \$106,266.11 remains outstanding.

Appearances required.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 10, 2019

Hearing Room 5C

11:00 AM

CONT... Chrestotes, Inc

Chapter 11

Debtor(s):

Chrestotes, Inc

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 10, 2019

Hearing Room 5C

11:00 AM

8:18-14277 Progressive Solutions, Inc.

Chapter 11

#5.00

STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 11/21/18)

Docket 1

Tentative Ruling:

Tentative for 1/10/19 is to set the following dates/deadlines:

1. May 20, 2019: Last date to file a plan and disclosure statement.
2. March 15, 2019: Last date to file claims ("Claims Bar Date").
3. January 14, 2019: Last date for Debtor to serve notice of the Claims Bar Date.
4. April 15, 2019: Last date to file objections to claim.
5. April 15, 2019: Last date to file avoidance actions.

The Debtor is specifically advised that the failure to timely file a plan or disclosure statement may result dismissal or conversion.

Appearances required.

Party Information

Debtor(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 22, 2019

Hearing Room 126

10:00 AM

6:18-17579 Mark D. Uy

Chapter 7

#1.00

Reid & Hellyer, APC - movant attorney

Motion for relief from stay

Virginia Bills vs. DEBTOR
(Motion filed 12/21/18)

Re: [Action in NonBankruptcy Forum]

EH_____

Docket 17

Tentative Ruling:

Revised Tentative for 1/22/19:

This matter is CONTINUED to 2/5/19 at 10:00 a.m. on the Court's motion.

The 1/22/19 hearing is VACATED.

Tentative for 1/22/19 is to GRANT.

Section 362(d)(1) provides that "[o]n request of a party in interest and after notice and a hearing, the court shall grant relief from the stay . . . (1) for cause. . . ." 11 U.S.C. § 362(d)(1). "What constitutes 'cause' for granting relief from the automatic stay is decided on a case-by-case basis." *Kronemyer v. Am. Contractors Indem. Co. (In re Kronemyer)*, 405 B.R. 915, 921 (9th Cir. B.A.P. 2009); *Christensen v. Tucson Estates, Inc. (In re Tucson Estates, Inc.)*, 912 F.2d 1162, 1166 (9th Cir. 1990). "To obtain relief from the automatic stay, the party seeking relief must first establish a prima facie case that 'cause' exists for relief under § 362(d)(1)." *Plumberex*, 311 B.R. at 557 (footnote omitted). "Once a prima facie case has been established, the burden shifts to the debtor to show that relief from the stay is unwarranted."

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 22, 2019

Hearing Room 126

10:00 AM

CONT... Mark D. Uy

Chapter 7

Id. "The decision whether to grant or deny stay relief is within the broad discretion of the bankruptcy court." *Id.* at 558; *Kronemyer*, 405 B.R. at 919 ("The decision of a bankruptcy court to grant relief from the automatic stay under § 362(d) is reviewed for abuse of discretion.").

There are 12 non-exclusive factors that courts in the Ninth Circuit weigh to determine whether "cause" exists to grant relief to allow an entity to continue pending litigation against a debtor in a non-bankruptcy forum:

1. Whether the relief will result in a partial or complete resolution of the issues;
2. The lack of any connection with or interference with the bankruptcy case;
3. Whether the foreign proceeding involves the debtor as a fiduciary;
4. Whether a specialized tribunal has been established to hear the particular cause of action and whether that tribunal has the expertise to hear such cases;
5. Whether the debtor's insurance carrier has assumed full financial responsibility for defending the litigation;
6. Whether the action essentially involves third parties, and the debtor functions only as a bailee or conduit for the goods or proceeds in question;
7. Whether the litigation in another forum would prejudice the interests of other creditors, the creditors' committee and other interested parties;
8. Whether the judgment claim arising from the foreign action is subject to equitable subordination under Section 510(c);
9. Whether movant's success in the foreign proceeding would result in a judicial lien avoidable by the debtor under Section 522(f);
10. The interests of judicial economy and the expeditious and economical determination of litigation for the parties;
11. Whether the foreign proceedings have progressed to the point where the parties are prepared for trial, and
12. The impact of the stay on the parties and the "balance of hurt."

In re Plumberex Specialty Products, Inc., 311 B.R. 551, 559 (Bankr. C.D. Cal. 2004) (citing *In re Curtis*, 40 B.R. 795 (Bankr. D. Utah 1984)). Not all the factors will be relevant, and some will carry more weight than others. *Id.* at

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 22, 2019

Hearing Room 126

10:00 AM

CONT... **Mark D. Uy**
560.

Chapter 7

Here, it appears that the findings required to determine Debtor's liability for an alleged violation of the Elder Abuse Act will satisfy the elements required to except any related debt/resulting judgment from discharge under § 523(a)(6) on collateral estoppel principles. Thus, the relief will result in a nearly complete resolution of the issues and there is at most tangential interference with the bankruptcy case. Considering the issue of debtor's liability is determined entirely under state law, there are several other defendants involved in the case, and the state court action has already commenced, on balance, the factors favor granting relief from stay.

Appearances required.

Party Information

Debtor(s):

Mark D. Uy

Represented By
Raymond Obiamalu

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 22, 2019

Hearing Room 126

10:00 AM

6:18-19509 Brittney Nicole Straiton

Chapter 7

#2.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Ford Motor Credit Company LLC vs. DEBTOR, Todd Frealy, trustee
(Motion filed 12/21/18)

Re: 2016 Ford Flex; VIN# 2FMGK5C82GBA14798

Docket 17

***** VACATED *** REASON: Notice of Voluntary Dismissal of Motion
filed 1/11/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brittney Nicole Straiton

Represented By
Terrence J Moore

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 22, 2019

Hearing Room 126

11:00 AM

6:17-15053 Professional Flooring Installation Inc.

Chapter 7

#3.00

Hrg on Chapter 7 Trustee's Motion to Substantively Consolidate Moises & Martha Alvarez, Floortastic Incorporated and Inland Empire Flooring into the bankruptcy estate of Professional Flooring Installation, Inc

(Cont from 12/4/18)

EH___

Docket 34

***** VACATED *** REASON: Order approving stipulation to dismiss chapter 7 trustee's motion entered 12/14/18 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Professional Flooring Installation

Represented By
Todd L Turoci

Movant(s):

Todd A. Frealy (TR)

Represented By
Leonard M Shulman
Brandon J Iskander

Trustee(s):

Todd A. Frealy (TR)

Represented By
Leonard M Shulman
Brandon J Iskander

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 22, 2019

Hearing Room 126

11:00 AM

6:17-15352 Carole Jo Spears and Bobby Lee Spears

Chapter 7

#4.00

Hrg. on Trustee's Final Report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 1/22/19 is to APPROVE as requested.

Note: The hearing on this matter is VACATED; no hearing will be held.
Accordingly, no court appearance by Trustee is required.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Carole Jo Spears

Represented By
Kevin M Cortright

Joint Debtor(s):

Bobby Lee Spears

Represented By
Kevin M Cortright

Trustee(s):

Arturo Cisneros (TR)

Represented By
Misty A Perry Isaacson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 22, 2019

Hearing Room 126

11:00 AM

6:18-15684 Christopher John Mulvania

Chapter 7

#5.00

Hrg. on chapter 7 trustee's Application filed 11/19/18 to Employ Turoci Bankruptcy Firm as Special Counsel

EH_____

(Tele. appr. Larry D. Simmons, rep. trustee, Larry D. Simons)

Docket 29

Tentative Ruling:

Tentative for 1/22/19:

This matter is CONTINUED to 2/5/19 at 11:00 a.m. on the Court's motion.

The 1/22/19 hearing is VACATED.

Tentative for 1/22/19 is to DENY the Application for the reasons stated in Debtor's Response filed on 1/15/19 [Dk. 35]. The Trustee may make his reply to the Debtor's Response at the hearing.

Appearances required by the Applicant, the Chapter 7 Trustee Larry Simons, and Debtor's counsel. The Trustee is instructed to appear himself, not only through counsel.

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Movant(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 22, 2019

Hearing Room 126

11:00 AM

CONT... Christopher John Mulvania

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 22, 2019

Hearing Room 126

11:00 AM

6:18-17506 Ronald Paul Baughman and Patricia Ann Baughman

Chapter 7

#6.00

Hrg on Debtors' Motion to Avoid Judicial Lien with Diamour, Inc.

EH ____

Docket 13

***** VACATED *** REASON: Order entered Denying on 1/10/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ronald Paul Baughman

Represented By
H. Christopher Heritage

Joint Debtor(s):

Patricia Ann Baughman

Represented By
H. Christopher Heritage

Movant(s):

Ronald Paul Baughman

Represented By
H. Christopher Heritage

Patricia Ann Baughman

Represented By
H. Christopher Heritage

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 22, 2019

Hearing Room 126

11:00 AM

6:18-17506 Ronald Paul Baughman and Patricia Ann Baughman

Chapter 7

#6.10

Hrg on Debtors' Motion to Avoid Judicial Lien with Direct Source Gold & Diamond, LLC

EH ____

Docket 17

***** VACATED *** REASON: Order entered Denying on 1/10/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ronald Paul Baughman

Represented By
H. Christopher Heritage

Joint Debtor(s):

Patricia Ann Baughman

Represented By
H. Christopher Heritage

Movant(s):

Ronald Paul Baughman

Represented By
H. Christopher Heritage

Patricia Ann Baughman

Represented By
H. Christopher Heritage

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 22, 2019

Hearing Room 126

11:00 AM

6:18-17506 Ronald Paul Baughman and Patricia Ann Baughman

Chapter 7

#6.20

Hrg on Debtors' Motion to Avoid Judicial Lien with Beyond Fine Jewelry, Inc.

EH ____

Docket 19

***** VACATED *** REASON: Order entered Denying on 1/10/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ronald Paul Baughman

Represented By
H. Christopher Heritage

Joint Debtor(s):

Patricia Ann Baughman

Represented By
H. Christopher Heritage

Movant(s):

Ronald Paul Baughman

Represented By
H. Christopher Heritage

Patricia Ann Baughman

Represented By
H. Christopher Heritage

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 22, 2019

Hearing Room 126

11:00 AM

6:18-19359 Benjamin T Calhoun

Chapter 7

#6.30

Hrg. Application filed 12/21/18 to employ Haines Law Group, APC and Lidman Law, APC as Co-special litigation counsel on a contingency fee basis pursuant to 11 U.S.C. §327(e) and 11 U.S.C. §328(a)

EH_____

Docket 25

Tentative Ruling:

Tentative for 1/22/19 is to GRANT the Application.

The Objection was withdrawn on 1/21/19 [Dk. 36]. The hearing on this matter is VACATED; no hearing will be held. Accordingly, no court appearance is required.

Applicant is to lodge an order within seven (7) days.

Tentative for 1/22/19 is to OVERRULE the Objection filed on 1/7/19 [Dk. 32] and GRANT the Application.

Party Information

Debtor(s):

Benjamin T Calhoun

Represented By
James R Selth

Movant(s):

Steven M Speier (TR)

Represented By
Robert P Goe

Trustee(s):

Steven M Speier (TR)

Represented By
Robert P Goe

**United States Bankruptcy Court
Central District of California
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Judge Scott Clarkson, Presiding
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Tuesday, January 22, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#7.00

Hrg on City of San Bernardino's Fifteenth Omnibus Objection to Claim Number by Claimant Robert Amaya; Jonathan Elias; Robert Fuller; Adrian Garcia; Jose Gomez and Graciela Gomez; Jose Gonzalez; Maria Gonzalez; Carrie Hayes-Zimmerman; Wanda Madison; Nancy Duffy McCarron; Ismael Perez; Rashid Qureshi and Cal Sierra Properties; Curtistine Scott; Bonnie Shipley; Juanita Valadez, individually and on behalf of J.M.; Ryan Warmoth Where the City Has No Liability

EH ____

Docket 2719

Tentative Ruling:

Tentative for 1/22/19 is to SUSTAIN the objections and DISALLOW the claims.

Note: The hearing on this matter is VACATED; no hearing will be held. Accordingly, no court appearance by Movant is required.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, January 22, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#8.00

Hrg on City of San Bernardino's Sixteenth Omnibus Objection to Claim Number by Claimant Elba Acosta; Allstate Insurance as subrogee of Sylvia Pereyra; Lawrence E. Armstrong, individually and on behalf of those similarly situated; Deborah Ashbrook; AT&T (Pacific Bell); Jeffrey Bussinger; Scott Cameron; C. C. through guardian Patricia Corona; Lewis Edison; Sammy Fuentes; Interinsurance Exchange of the Automobile Club as subrogee of Deborah Ashbrook; Theresa Lanehart; Angela Maria Lindsey; Barbara Jenkins; Terry L. Mason; MetLife Auto & Home as subrogee of Deanne Overy; J. M. through his attorneys Vedidsion Seber LLP; Henry Robinson; Travelers as subrogee of Tommy Johnson Where the City Has No Liability

EH ____

Docket 2723

Tentative Ruling:

Tentative for 1/22/19 is to SUSTAIN the objections and DISALLOW the claims in the Sixteenth Omnibus Objection to Claims [Dk. 2723] ("Objection") except as follows:

With respect to the claim of Barbara Jenkins, this matter is CONTINUED to June 11, 2019 at 1:30 p.m. to allow the parties to proceed in state court to determine the City's liability. To the extent it is necessary, the Court GRANTS relief from the automatic stay for the parties to proceed in the non-bankruptcy forum for this purpose. The parties must file a status report fourteen days in advance of the continued hearing.

Appearances are excused.

The 1/22/19 hearing is VACATED; no hearing will be held..

Movant to lodge an order within seven (7) days.

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1:30 PM

CONT... City of San Bernardino, California

Chapter 9

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
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1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#9.00

Hrg on City of San Bernardino's Seventeenth Omnibus Objection to Claim Number by Claimant Cindy Baker; Rickey Brooks; Cedarwood LLC, Mountain Plaza LLC, Mountain Avenue Apartments LLC, and Villa Park Apartments LLC; Dallin, LLC, Loudon, LLC, and Tinkle, LLC; June De La Rosa; Jackie Duncan; Sarah Harris; Jeffery Hernandez; Interinsurance Exchange of the Automobile Club as subrogee of Cindy Baker; Diann Jenkins; Jamsetta Jones; Martin Karimi; Liberty Mutual Insurance as subrogee of Jomar Table Linens, Inc. dba Linen Lovers; Loma Linda Village; Marlana Maisterra; MAPFRE as subrogee of Jessica Inez Lomeli; Angelica Martinez; Bridget McGill; Earlee McGill Where the City Has No Liability

EH ____

Docket 2727

Tentative Ruling:

Tentative for 1/22/19 is to SUSTAIN the objections and DISALLOW the claims.

Note: The hearing on this matter is VACATED; no hearing will be held. Accordingly, no court appearance by Movant is required.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

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Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#10.00

Hrg on City of San Bernardino's Eighteenth Omnibus Objection to Claim Number by Claimant Sandra Chavez; Francisco Escobar; Tim Hemzie; Maria Hernandez; Markanthy Mills; Pamela Montana; Christian Mota Najera; Safeco Insurance as subrogee for Debbie Clark; Amy Sazo; J.S., by and through guardian Maria Sazo; K.S., by and through guardian Maria Sazo; Sedgwick CMS as subrogee of Terry DeSantiago; Craig Stottlemeyer; Debra Stottlemeyer; Watersplash c/o Zlien; Sean Ryan Wolfson Where the City Has No Liability

EH ____

Docket 2731

Tentative Ruling:

Tentative for 1/22/19 is to SUSTAIN the objections and DISALLOW the claims.

Note: The hearing on this matter is VACATED; no hearing will be held. Accordingly, no court appearance by Movant is required.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
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Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#11.00

Hrg on City of San Bernardino's Amended Thirteenth Omnibus Objection to Claim Number 393 by Claimant Maher Afram; Law Offices of Deand and Doung Claim Number 249

EH ____

Docket 2739

***** VACATED *** REASON: Duplicate of #12 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

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6:12-28006 City of San Bernardino, California

Chapter 9

#12.00

Hrg on City of San Bernardino Thirteenth Omnibus Objection to Claim Number by Claimant Maher Afram; Law Offices of Deand and Doung

EH ____

(Cont. from 11/28/18)

Docket 2676

Tentative Ruling:

Tentative for 1/22/19 is to SUSTAIN the objections and DISALLOW the claims of of Maher Afram and the Law Offices of Deand and Doung.

Note: The hearing on this matter is VACATED; no hearing will be held. Accordingly, no court appearance by Movant is required.

Movant to lodge an order within seven (7) days.

Tentative for 11/27/18 is to SUSTAIN the objections and DISALLOW the claims in the Thirteenth Omnibus Objection to Claims [Dk. 2676] ("Objection") except as follows:

With respect to the claims of Maher Afram and the Law Offices of Deand and Doung, the Court will CONTINUE the Objection as to these claims to **January 22, at 1:30 p.m.** to allow Movant to effect proper service. Where the claimant has filed a proof of claim, the local rules require the movant include the number of the proof of claim in the caption of the motion. While the Court has waived this defect for other claims listed below, there are additional defects the Court will not waive for these two claims:

- With respect to the claim of Maher Afram, the cross reference listed within the motion incorrectly identifies the corresponding proof of claim

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CONT...

City of San Bernardino, California

Chapter 9

as Claim No. 363. The correct claim appears to be 393. Movant should file and serve an appropriate correction.

- With respect to the claim of the Law Offices of Deand and DOUNG, the movant did not serve the claimant to the attention of an officer, managing or general agent or to any other authorized agent. LBR 3007-1(b)(2) requires service "on the claimant at the address disclosed by the claimant in its proof of claim *and* such other addresses and upon such parties as may be required by FRBP 7004 and other applicable rules." (emphasis added). FRBP 7004(b)(3) requires that a corporation, partnership or other unincorporated association be served "to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment of law to receive service of process." Where the address listed on the proof of claim differs from or does not comply with FRBP 7004, as stated on the Court's website, this Court requires the claim objection to be served on both addresses.

The Court will SUSTAIN the Objection and DISALLOW the claims of Nakia Ebow, Eric Garcia, Martin Huddleston, Manuel Key, and Sae Lee, notwithstanding the defect of failing to follow the local rules' requirement to include the number of the filed proof of claim in the caption [see LBR 3007-1(a)(4)(A)], considering the Motion otherwise comply with applicable rules. Movant is cautioned to ensure compliance with LBR 3007-1(a)(4)(A) and all other applicable rules in the future.

With respect to the claim of Henry Brinkley, the Court's tentative is to OVERRULE the Objection and ALLOW Mr. Brinkley's claim as set forth in the Reply filed by Debtor on November 21, 2018 [Dk. 2698].

Appearances are excused.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

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CONT... City of San Bernardino, California

Chapter 9

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6:12-28006 City of San Bernardino, California

Chapter 9

#13.00

Hrg. on Motion for reconsideration of order disallowing and expunging claimant Kathryn Frederick's claims pursuant to Order granting City of San Bernardino's Third Omnibus Objection to claims

Docket 2714

***** VACATED *** REASON: Order entered 1/16/19, cont. to 3/5/19 @
1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
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Tuesday, January 22, 2019

Hearing Room 126

1:30 PM

6:17-20415 Mario Antonio Garcia, Sr. and Veronica Bolanos Garcia

Chapter 11

#14.00

Hrg. on Debtors' Motion filed 11/21/18 to Convert Case From Chapter 11 to 7 or in the alternative to a chapter 13

EH_____

(Cont. from 12/18/18)

Docket 137

Tentative Ruling:

Tentative for 1/22/19:

This matter is CONTINUED to 2/5/19 at 1:30 p.m. on the Court's motion.

The 1/22/19 hearing is VACATED.

Tentative for 12/18/18 is to DENY.

On September 18, 2018, at the hearing on the Order to Show Cause why a Chapter 11 Trustee should not be appointed, the Court found neither dismissal nor conversion was in the best interests of creditors and there was cause to appoint a Chapter 11 Trustee. See Dk. 123. The Order appointing a Chapter 11 Trustee was never appealed. This Motion appears to be a collateral attack, in part, on the Order Appointing Chapter 11 Trustee.

Moreover, Debtors have already acknowledged they did not qualify for either Chapter 7 nor Chapter 13 on the Petition Date. As debtors out of possession, they are not entitled to convert their case to Chapter 7. 11 U.S.C. § 1112(a) (1). Debtors have provided no legal authority that they are entitled or even eligible to convert to either 7 or 13, nor have they provided evidence that conversion is in the best interests of creditors.

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CONT... Mario Antonio Garcia, Sr. and Veronica Bolanos Garcia
Appearances required.

Chapter 11

Party Information

Debtor(s):

Mario Antonio Garcia Sr.

Represented By
Michael J Allison

Joint Debtor(s):

Veronica Bolanos Garcia

Represented By
Michael J Allison

Trustee(s):

Todd A. Frealy (TR)

Represented By
Monica Y Kim

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1:30 PM

6:17-20415 Mario Antonio Garcia, Sr. and Veronica Bolanos Garcia

Chapter 11

#15.00

Hrg on Disclosure Statement

EH _____

Docket 59

Tentative Ruling:

Tentative for 1/22/19:

This matter is CONTINUED to 2/5/19 at 1:30 p.m. on the Court's motion.

The 1/22/19 hearing is VACATED.

Tentative for 11/06/18 is to CONTINUE this matter to February 5, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Mario Antonio Garcia Sr.

Represented By
Michael J Allison

Joint Debtor(s):

Veronica Bolanos Garcia

Represented By

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CONT...

Mario Antonio Garcia, Sr. and Veronica Bolanos Garcia
Michael J Allison

Chapter 11

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Hearing Room 126

1:30 PM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#16.00

Hrg. on Use of Cash Collateral

EH_____

(Cont. from 8/21/18)

Docket 29

Tentative Ruling:

Revised Tentative for 1/22/19:

This matter is CONTINUED to 2/5/19 at 1:30 p.m. on the Court's motion.

The 1/22/19 hearing is VACATED.

Tentative for 1/22/19:

The previous order approving the use of cash collateral entered 8/30/18 [Dk. 88] authorized use through 1/31/19. As of the posting of this tentative, no further stipulation or motion regarding cash collateral has been filed.

Appearances required.

Tentative for 8/21/18 is to approve the Stipulation filed 8/17/18 [Dk. 74] and set a continued date of January 22, 2019 at 11:00 a.m.

Appearances required.

Tentative for 6/18/18:

The Order entered 6/4/18 [Dk. 48] grants the use of cash collateral through

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1:30 PM

CONT... Big Bear Bowling Barn, Inc. Chapter 11

6/18/18 in an amount of up to \$85,000. As of the posting of this tentative, nothing further has been filed.

Appearances required.

Tentative for 5/23/18:

Appearances required. Debtor's Principal and counsel for both Debtor and the Secured Creditor, Strategic Funding Source, Inc., are instructed to appear in person in Santa Ana unless excused from this requirement by chambers.

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

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6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#17.00

Hrg. on Chapter 11 Status Conference

(Cont. from 5/15/18)

EH_____

(Cont. from 8/21/18)

Docket 0

Tentative Ruling:

Tentative for 1/22/19 is to set a continued status conference date of March 5, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 8/21/18 is to set a continued status conference date of January 22, 2019 at 11:00 a.m. A status report is due 14 days in advance.

With respect to Debtor's request to continue the October 15, 2018 deadline to file a plan and disclosure statement, which was set pursuant to an order entered August 8, 2018 [Dk. 70] at Debtor's request, the Court would prefer a formal motion, which it can then grant for cause, if cause exists.

Appearances required.

Tentative for 5/15/18 is to set the following dates/deadlines:

1. Deadline to file a Plan and Disclosure Statement: August 3, 2018, which is approximately 120 days from the Petition Date. Note: the failure to timely file a Plan and Disclosure Statement may result in the dismissal or conversion of the case.

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CONT... Big Bear Bowling Barn, Inc.

Chapter 11

2. Claims Bar Date: July 30, 2018, with the notice to be served by no later than May 29, 2018.
3. Claims Objection Date: September 28, 2018.
4. Continued Status Conference: August 21, 2018 at 1:30 p.m.. A status report is due 14 days in advance.

Debtor is to lodge a scheduling order within seven days.

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

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6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#18.00

Hrg. on Debtor's Motion filed 8/8/18 to Use Cash Collateral

(Cont. from 12/18/18)

EH_____

Docket 5

*** VACATED *** REASON: Cont. to 3/5/19 @ 1:30 p.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Illyssa I Fogel

Movant(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
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Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#19.00

Hrg. on Debtor's Motion filed 11/14/18 to Value Two Adjacent Parcels of Commercial Real Property Located at 333 and 305 S. Waterman Avenue, San Bernardino, California, 92408, extinguish second and third liens; or in the alternative modify second liens

EH_____

(Cont from 12/18/18)

Docket 47

***** VACATED *** REASON: Continued to 2/19/19 at 1:30 pm, per order entered on 1/16/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

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1:30 PM

6:15-21904 Four-D College

Chapter 7

Adv#: 6:17-01264 Pringle v. E&L Property Management, LLC et al

#6.00

PRE-TRIAL CONFERENCE re: Complaint by John P. Pringle against E&L Property Management, LLC, Ernell Smith, Linda Smith - 547, 548

(Cont. from 10/24/18)

EH_____

Docket 1

***** VACATED *** REASON: Order Dismissing Adversary entered 1/4/19
- jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Four-D College

Represented By
Linda A Lindsey
Michael G Portner

Defendant(s):

E&L Property Management, LLC

Pro Se

Ernell Smith

Pro Se

Linda Smith

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Anthony A Friedman
Lindsey L Smith
Todd A Frealy

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CONT... Four-D College

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Juliet Y Oh
Todd A Frealy
Anthony A Friedman
Keith Levey

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Wednesday, January 23, 2019

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1:30 PM

6:18-14917 Hao Wang

Chapter 7

Adv#: 6:18-01177 Shao v. Wang

#7.00

Hrg. on Plaintiff's Motion filed 11/26/18 for Default Judgment under LBR 7055-1

EH_____

Docket 8

Tentative Ruling:

Revised Tentative for 1/23/19:

This matter is CONTINUED to 2/6/19 at 1:30 p.m. on the Court's motion.

The 1/23/19 hearing is VACATED.

Tentative for 1/23/19 is to DENY without prejudice as set forth below. The Court could grant the motion for default judgment under § 523(a)(4), but is unable to grant default judgment under § 523(a)(2) or (a)(6) because the elements of those claims have not been sufficiently demonstrated. If the plaintiff wishes to file a dismissal of the claims under § 523(a)(2) and (a)(6), the court will enter default judgment under § 523(a)(4). However, absent a dismissal of these claims, the court will deny the Motion, without prejudice to amendment of the complaint to include more detailed allegations and/or filing a second motion for default judgment with additional evidence.

Appearances required.

Analysis

The entry of default against a defendant does not automatically entitle a plaintiff to judgment. See *Valley Oak Credit Union v. Villegas (In re Villegas)*, 132 B.R. 742, 746 (9th Cir. BAP 1991). Rule 55(b)(2) requires a plaintiff to apply to the court for a default judgment. The court has broad discretion under Rule 55(b)(2)

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Hao Wang

Chapter 7

to "conduct such hearings . . . as it deems necessary and proper" in order to "establish the truth of any averment by evidence. . . ." Under this rule, the court may require a plaintiff to demonstrate a *prima facie* case by competent evidence in a prove-up trial to obtain a default judgment. See *Villegas*, 132 B.R. at 746; *TeleVideo Systems Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987).

The court has wide discretion under Rule 55 to consider whether the evidence presented supports a claim and warrants judgment for the plaintiff. See *Wells Fargo Bank v. Beltran (In re Beltran)*, 182 B.R. 820, 823–24 (9th Cir. BAP 1995); *Villegas*, 132 B.R. at 746; see generally 10A Charles Alan Wright, Arthur R. Miller & Mary Kay Kane, *Federal Practice and Procedure: Civil* § 2685 (3d ed.1998).

Here, as to Plaintiff's claims under 11 U.S.C. § 523(a)(4), Plaintiff has adequately plead and provided sufficient evidence to support default judgment in her favor in the amount of \$150,000. Therefore, the Motion could be granted with respect to Plaintiff's claims under § 523(a)(4).

However, Plaintiff has not adequately plead or has not provided sufficient evidence to establish the elements required to prove a claim is nondischargeable under § 523(a)(2) or (a)(6).

§ 523(a)(2)(A)

With respect to Plaintiff's claims under 11 U.S.C. § 523(a)(2), the allegations in the adversary complaint are not sufficient to warrant a nondischargeability judgment in the amount sought. § 523(a)(2)(A) provides that a debt for money, property, services, or an extension, renewal, or refinancing of credit will not be discharged to the extent obtained by "false pretenses, a false representation, or actual fraud, other than a statement respecting the debtor's or an insider's financial condition." 11 U.S.C. § 523(a)(2). A promise to perform acts in the future that is subsequently breached is not, by itself, a fraudulent representation that can give rise to a conclusion of nondischargeability under either path of § 523(a)(2)(A). For instance, the promise to timely pay, or to provide a deed of trust as security, in of itself, is not a fraudulent representation.

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For a debtor's representation to be a "false representation or false pretense," it must have been "(1) a knowing and fraudulent falsehood, (2) describing past or current facts, (3) that was relied upon by the other party." *RecoverEdge v. Pentecost*, 44 F.3d 1284, 1292-93 (5th Cir. 1995) (citations omitted); *see also Field v. Mans*, 516 U.S. 59, 73-75 (1995). A debtor's misrepresentations of his intention to repay a debt may constitute a false representation within the meaning of the dischargeability provision if, when the representation is made, the debtor has no intention of performing as promised.

Here, Plaintiff alleges that Defendant falsely represented that he entered into the Agreement in good faith, that he had read the entire agreement, agreed with all of its provisions, intended to abide by it in its entirety, and entered into it voluntarily. Dk. 8-1, pg. 3. However, Plaintiff provides no evidence that these representations were false at the time Defendant made these representations, or that Defendant knew they were false; i.e., that Defendant entered into the Agreement with no intention of ever complying with the agreement. Accordingly, Plaintiff is not entitled to default judgment under § 523(a)(2).

§ 523(a)(6)

With respect to Plaintiff's claims under 11 U.S.C. § 523(a)(6), the allegations in the adversary complaint are not sufficient to warrant a nondischargeability judgment in the amount sought. § 523(a)(6) excepts from discharge debts resulting from willful and malicious injury by a debtor to another entity and states in relevant part, "for willful and malicious injury by the debtor to another entity or to the property of another entity..." To prevail under this section a party must prove three elements: (1) willful conduct, (2) malice, and (3) causation. The malicious injury requirement is separate from the willful injury requirement. *Carillo v. Su (In re Su)*, 290 F.3d 1140, 1146-47 (9th Cir. 2002); *Albarran v. New Form, Inc. (In re Barboza)*, 545 F.3d 702, 705 (9th Cir. 2008).

A "willful" injury is a "deliberate or intentional injury, not merely a deliberate or intentional act that leads to injury." *In re Barboza*, 545 F.3d 702, 706 (9th Cir. 2008). The defendant must intend both the act and the consequences of the act. *Kawaauhau v. Geiger*, 523 U.S. 57, 61(1998). "§ 523(a)(6)'s willful injury requirement is met only when the debtor has a subjective motive to inflict injury or when the debtor believes that injury is substantially certain to result from his own

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conduct." *In re Ormsby*, 591 F.3d 1199, 1206 (9th Cir. 2010) (citing Carrillo v. Su (In re Su), 290 F.3d 1140, 1142 (9th Cir.2002))

"A malicious injury involves (1) a wrongful act, (2) done intentionally, (3) which necessarily causes injury, and (4) is done without just cause or excuse." *In re Ormsby*, 591 F.3d 1199, 1207 (9th Cir. 2010).

Neither simple nor intentional breach of contract is the type of injury intended to be covered by § 523(a)(6). *In re Jercich*, 238 F.3d 1202, 1205 (9th Cir. 2001) (noting intentional breach of contract must be accompanied by tortious conduct that results in a willful and malicious injury).

While Plaintiff alleges and provides evidence of damage to the property she leased to Defendant, Plaintiff does not provide evidence that Defendant deliberately damaged her property, rather than merely performing acts that resulted in damage to her property. In short, even if the Court accepts the allegations in the Complaint and the statements in Plaintiff's declaration as true, Plaintiff has not alleged or provided evidence that Defendant acted with the requisite intent to establish the debt is nondischargeable under § 523 (a)(6).

Conclusion

As set forth in detail above, Plaintiff is entitled to default judgment under § 523(a) (4) in the amount of \$150,000, but is not entitled to judgment as to the other claims in the Complaint. However, because Plaintiff is not entitled to default judgment on all claims in the Complaint at this time, the Court cannot and will not enter piecemeal judgments. Therefore, the Motion is DENIED. Plaintiff may file an amended Complaint or a second motion for default judgment providing additional evidence.

Appearances required.

Party Information

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CONT... Hao Wang

Chapter 7

Debtor(s):

Hao Wang

Represented By
Sam X J Wu

Defendant(s):

Hao Wang

Pro Se

Plaintiff(s):

Tingting Shao

Represented By
Meei-Ling Chen

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 23, 2019

Hearing Room 126

1:30 PM

6:18-16626 Judy Zhuang

Chapter 7

Adv#: 6:18-01217 Liao v. Zhuang

#8.00

Hrg. on Order to Show Cause why Counsel Should not be Sanctioned

EH_____

Docket 0

Tentative Ruling:

Tentative for 1/23/19:

This matter is CONTINUED to 2/6/19 at 1:30 p.m. on the Court's motion.

The 1/23/19 hearing is VACATED.

Party Information

Debtor(s):

Judy Zhuang

Represented By
Todd L Turoci

Defendant(s):

Judy Zhuang

Pro Se

Plaintiff(s):

Chih Ling Liao

Represented By
Sam X J Wu

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 23, 2019

Hearing Room 126

1:30 PM

6:18-16626 Judy Zhuang

Chapter 7

Adv#: 6:18-01217 Liao v. Zhuang

#9.00

Hrg on Plaintiff's Motion to Strike Defendant Judy Zhuang's Answer to Plaintiff Chih Ling Liao's Adversarial Complaint

EH ____

Docket 6

***** VACATED *** REASON: Order entered 1/11/19 Denying Motion - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Judy Zhuang

Represented By
Todd L Turoci

Defendant(s):

Judy Zhuang

Pro Se

Plaintiff(s):

Chih Ling Liao

Represented By
Sam X J Wu

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 23, 2019

Hearing Room 126

1:30 PM

6:18-16626 Judy Zhuang

Chapter 7

Adv#: 6:18-01217 Liao v. Zhuang

#10.00

STATUS CONFERENCE re Complaint to determine non-dischargeability of debt; (1) False Pretenses, False Representations, or Actual Fraud; (2) Willful and Malicious Injury and (3) Non-Dischargeability of Debt

EH ____

Docket 1

Tentative Ruling:

Revised Tentative for 1/23/19:

This matter is CONTINUED to 2/6/19 at 1:30 p.m. on the Court's motion.

The 1/23/19 hearing is VACATED.

Tentative for 1/23/19 is to set the following dates/deadlines:

1. Discovery cutoff: March 15, 2019 Note: this date includes the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: April 30, 2019. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
4. Pretrial conference: May 15, 2019 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of sanctions, including the striking of the answer and dismissal of the complaint.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, January 23, 2019

Hearing Room 126

1:30 PM

CONT... Judy Zhuang

Chapter 7

Debtor(s):

Judy Zhuang

Represented By
Todd L Turoci

Defendant(s):

Judy Zhuang

Pro Se

Plaintiff(s):

Chih Ling Liao

Represented By
Sam X J Wu

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, January 23, 2019

Hearing Room 5C

10:00 AM

8:15-15006 Michael Louis Hollander

Chapter 7

Adv#: 8:18-01191 Marshack v. Bank of America, N.A. et al

#1.00

STATUS CONFERENCE Hearing RE: Complaint For:

- (1) Breach Of Contract;
 - (2) Wrongful Foreclosure;
 - (3) Intentional Misrepresentation;
 - (4) Negligent Misrepresentation;
 - (5) False Promise;
 - (6) Violation Of California Homeowner's Bill Of Rights;
 - (7) Unfair Business Practices;
 - (8) Intentional Infliction Of Emotional Distress;
 - (9) Negligent Infliction Of Emotional Distress
- (Complaint filed 10/18/18)

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER (A)
ABSTAINING FROM ADVERSARY PROCEEDING ENTERED 1-18-19 -
(Docket No. [25])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Louis Hollander

Represented By
Joseph M Tosti
W. Sloan Youkstetter

Defendant(s):

Bank of America, N.A.

Pro Se

Clear Recon Corp.

Pro Se

Joint Debtor(s):

Susan Waxman Hollander

Represented By
Joseph M Tosti

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, January 23, 2019

Hearing Room 5C

10:00 AM

CONT... Michael Louis Hollander

Chapter 7

W. Sloan Youkstetter

Plaintiff(s):

Richard A. Marshack

Represented By

David M Goodrich

Dennise S Henderson

Trustee(s):

Richard A Marshack (TR)

Represented By

David M Goodrich

Dennise S Henderson

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, January 23, 2019

Hearing Room 5C

10:00 AM

8:15-15006 Michael Louis Hollander

Chapter 7

Adv#: 8:18-01191 Marshack v. Bank of America, N.A.

#2.00

Hearing RE: Bank Of America, N.A.'s Motion To Dismiss Complaint
(Motion filed 12/19/18)

Docket 16

***** VACATED *** REASON: OFF CALENDAR - ORDER (A)
ABSTAINING FROM ADVERSARY PROCEEDING ENTERED 1-18-19 -
(Docket No. [25])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Louis Hollander

Represented By
Joseph M Tosti
W. Sloan Youkstetter

Defendant(s):

Bank of America, N.A.

Represented By
Adam N Barasch

Joint Debtor(s):

Susan Waxman Hollander

Represented By
Joseph M Tosti
W. Sloan Youkstetter

Plaintiff(s):

Richard A. Marshack

Represented By
David M Goodrich
Dennise S Henderson

Trustee(s):

Richard A Marshack (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, January 23, 2019

Hearing Room 5C

10:00 AM

CONT... Michael Louis Hollander

David M Goodrich
Dennise S Henderson

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, January 23, 2019

Hearing Room 5C

10:00 AM

8:17-11114 Bradley B Mugar

Chapter 7

Adv#: 8:18-01186 Marshack v. Mugar

#3.00

STATUS CONFERENCE Hearing RE: Complaint For:

(1) Avoidance Of Fraudulent Transfer (11 U.S.C. Section 544(b); Cal. Civil Code Section 3439.04(a)(2);

(2) Avoidance Of Fraudulent Transfer (11 U.S.C. Section 544(b); Cal. Civil Code Section 3439.05);

(3) Recovery Of Avoided Transfers;

(4) Breach Of Contract; And

(5) Common Count-Money Lent

(Complaint filed 10/12/18)

Docket 1

Tentative Ruling:

Tentative for 1/23/19:

This matter is CONTINUED to April 3, 2019 at 11:00 a.m. A status report is due 14 days in advance.

The 1/23/19 hearing is VACATED.

Party Information

Debtor(s):

Bradley B Mugar

Represented By
Parisa Fishback
John Edwards

Defendant(s):

Ryan Mugar

Pro Se

Joint Debtor(s):

Susan E Mugar

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, January 23, 2019

Hearing Room 5C

10:00 AM

CONT... Bradley B Mugar

Chapter 7

Parisa Fishback
John Edwards

Plaintiff(s):

Richard A Marshack

Represented By
Michael G Spector

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael G Spector

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, January 23, 2019

Hearing Room 5C

10:00 AM

8:18-13145 James L Conkey

Chapter 7

Adv#: 8:18-01212 Saab et al v. Conkey

#3.10

Hearing RE: Motion To Dismiss Complaint To Determine Dischargeability Of Debt
(Motion filed 1/2/19)

Docket 5

***** VACATED *** REASON: OFF CALENDAR PER ORDER DENYING
MOTION TO DISMISS AS MOOT ENTERED 1-11-19 (Docket No. [2])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James L Conkey

Represented By
Laleh Ensafi

Defendant(s):

James L Conkey

Represented By
Charity J Manee

Plaintiff(s):

Camil Saab

Represented By
Douglas Jaffe

Helou Saab, Inc.

Represented By
Douglas Jaffe

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, January 23, 2019

Hearing Room 5C

11:00 AM

8:17-12746 Du Sik Kang

Chapter 7

Adv#: 8:18-01112 Golden, Chapter 7 Trustee v. Bang et al

#4.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For:
(1) Avoidance Of Transfers Voidable By A Bona Fide Purchaser Of Real Property [11 U.S.C. Section 544(a)(3)];
(2) Avoidance Of Actual Fraudulent Transfer [11 U.S.C. Section 548(a)(1)(A)];
(3) Avoidance Of Constructive Fraudulent Transfer [11 U.S.C. Section 548(a)(1)(B)];
(4) Recovery Of Avoided Transfers [11 U.S.C. Section 550]; And
(5) Turnover [11 U.S.C. Section 542(a)]
(Complaint filed 6/18/18)
(First Amended Complaint filed 7/26/18)

FR: 9-12-18; 11-7-18

Docket 11

Tentative Ruling:

Tentative for 1/23/19 is to CONTINUE this matter to 4/17/19 at 11:00 a.m. A status report is due 14 days in advance.

The 1/23/19 hearing is VACATED.

Tentative for 11/07/18 is to CONTINUE this matter to 1/23/19 at 11:00 a.m. pursuant to the parties' request contained in the Joint Status Report filed 10/24/18 [Dk.20]. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 9/12/18 is to CONTINUE this matter to 11/7/18 at 11:00 a.m. pursuant to the parties' request contained in the Joint Status Report filed 8/28/18 [Dk.14]. A status report is due 14 days in advance.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, January 23, 2019

Hearing Room 5C

11:00 AM

CONT... Du Sik Kang

Chapter 7

Appearances are excused.

Party Information

Debtor(s):

Du Sik Kang

Represented By
Jisoo Hwang

Defendant(s):

Ik Soo Bang

Pro Se

Hye Young Bang

Pro Se

Ik Soo Bang, Hye Young Bang, as

Pro Se

Wells Fargo & Company

Pro Se

Plaintiff(s):

Jeffrey I. Golden, Chapter 7 Trustee

Represented By
Noreen A Madoyan

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Noreen A Madoyan

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Wednesday, January 23, 2019

Hearing Room 5C

11:00 AM

8:18-11215 Nitikorn Thipavong

Chapter 7

Adv#: 8:18-01130 Pinon v. Thipavong

#5.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Non-Dischargeability Of Debt
(Complaint filed 7/13/18)

FR: 10-3-18

Docket 1

*** VACATED *** REASON: OFF CALENDAR; DEFAULT JUDGMENT
ENTERED 12-4-18 (Docket No. [22])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nitikorn Thipavong

Represented By
Catherine Christiansen

Defendant(s):

Nitikorn Thipavong

Pro Se

Plaintiff(s):

Patricia Pinon

Represented By
Tiffany Chukiat
John B Stephens

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

#0.10

Hearing RE: Chapter 7 Trustee's Motion For Order: 1. Authorizing Operation Of The Debtors' Business Pursuant To 11 U.S.C. Section 721; And 2. Authorizing Continued Maintenance Of Existing Bank Accounts For A Limited Period Pursuant To 11 U.S.C. Sections 105, 345, And 363 (Motion filed 1/3/19)

Docket 349

Tentative Ruling:

Tentative for 1/24/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

10:00 AM

8:18-13588 Tim M. McKenna

Chapter 7

#1.00

CONT'D Hearing RE: Motion For Relief From The Automatic Stay To Permit Setoff And Application Of Deposit Account Funds (Motion filed 11/29/18)

FR: 12-20-18

Docket 29

***** VACATED *** REASON: CONTINUED TO MARCH 21, 2019 AT 10:00 A.M. PER ORDER APPROVING STIPULATION ENTERED 1-14-19 - (DOCKET NO. [88])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tim M. McKenna

Represented By
Michael G Spector

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

10:00 AM

8:18-13617 Ian G. Winterbotham and Bree C. Winterbotham

Chapter 7

#1.10

Motion for relief from stay [Personal Property]

Gagos Properties Limited, LP vs. DEBTORS
(Motion filed 1/3/19)

[RE: Lease For Real Property Located At 17092 Pullman Street, Irvine, CA 92614 Entered Into By Gagos Properties Limited, LP ("Gagos" or "Lessor") And Furnishing America ("Lessee"), Which Was Personally Guaranteed By Debtors, Ian G. Winterbotham And Bree C. Winterbotham (Collectively The "Debtors")]

[Tele. appr., Misty A. Perry-Isaacson, repr., Gagos Properties Limited, LP]

Docket 26

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: The parties have stipulated to relief from stay, and no opposition was filed. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ian G. Winterbotham

Represented By
Michael D Franco

Joint Debtor(s):

Bree C. Winterbotham

Represented By
Michael D Franco

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

10:00 AM

CONT... Ian G. Winterbotham and Bree C. Winterbotham

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
Larry D Simons

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

10:00 AM

8:19-10053 Michael John Beresford and Allison Beresford

Chapter 7

#1.20

Hearing RE: Motion In Individual Case For Order Imposing A Stay Or Continuing The Automatic Stay As The Court Deems Appropriate (Motion filed 1/16/19) (Amended Motion filed 1/17/19) (OST Signed 1/17/19)

[Tele. appr., Keith R. Wood, repr., Michael Beresford]

Docket 31

Tentative Ruling:

Tentative for 1/24/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Michael John Beresford

Represented By
Keith R Wood

Joint Debtor(s):

Allison Beresford

Represented By
Keith R Wood

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room

5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#2.00

CONT'D POST-CONFIRMATION STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 2/2/16) (Post-Confirmation S/C set Per Order Entered on 7/24/17)

FR: 3-31-16; 6-30-16; 9-29-16; 10-20-16; 11-3-16; 12-15-16; 3-16-17; 6-8-17; 6-19-17; 7-24-17; 1-11-18; 6-14-18; 6-28-18; 8-2-18

Docket 0

Tentative Ruling:

Tentative for 1/24/19:

The Court has received and reviewed the status report filed by the Litigation Trustee Tom Casey on 1/10/19 [Dk. 498]. The post-confirmation status conference is continued to July 25, 2019, at 11:00 a.m.

Appearances excused.

Tentative for 8/02/18:

The Court has received and reviewed the status report filed by the Litigation Trustee Tom Casey on 7/19/18 [Dk. 490]. The post-confirmation status conference is continued to January 24, 2019, at 11:00 a.m.

Appearances excused.

Tentative for 1/11/18:

The Court has received and reviewed the status reports filed by the Litigation

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room

5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol Chapter 11

Trustee Tom Casey on 12/27/17 [Dk. 472] and by the Reorganized Debtor on 12/27/17 [Dk. 473]. The post-confirmation status conference is continued to June 14, 2018, at 11:00 a.m.

Appearances excused.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol Chapter 11

Adv#: 8:17-01025 California Hispanic Commission on Drug and Alcohol v. Long Term Care

#3.00

PRE TRIAL CONFERENCE Hearing RE: Complaint To Avoid And Recover Post-Petition Transfers Pursuant To 11 U.S.C. Sections 549 And 550 (Complaint filed 2/16/17)

[Genesis Title Holding Corporation - Dismissed 4/25/17 - Docket No. 5]
(ptc set at s/c held 5-3-18)

FR: 6-14-17; 6-15-17; 11-16-17; 2-22-18; 5-3-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION DISMISSING ADVERSARY PROCEEDING WITH
PREJUDICE ENTERED 11-13-18 - (Docket No. [26])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

Defendant(s):

Long Term Care Properties, Inc.

Pro Se

Genesis Title Holding Corp.

Pro Se

Plaintiff(s):

California Hispanic Commission on

Represented By
Linda F Cantor ESQ

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

11:00 AM

8:16-12463 Marzieh Bagheri-Tari

Chapter 11

#4.00

CONT'D POST-CONFIRMATION STATUS CONFERENCE Hearing RE: (1)
Case Management Conference And (2) Requiring Status Report
(Petition filed 6/13/16)
(Post-Confirmation S/C set at confirmation hearing held 8/31/17)

FR: 8-4-16; 10-20-16; 12-15-16; 2-16-17; 3-9-17, 5-11-17; 8-31-17; 11-9-17;
2-22-18; 5-3-18; 9-13-18; 9-20-18

Docket 1

Tentative Ruling:

Tentative for 1/24/19:

As of the posting of this tentative, no status report has been filed.

Appearances required.

Party Information

Debtor(s):

Marzieh Bagheri-Tari

Represented By
Yeznik O Kazandjian

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#5.00

Hearing RE: Approval Of First Amended Disclosure Statement Describing First Amended Joint Chapter 11 Plan Of Liquidation Of WJA Real Estate Opportunity Fund II, LLC And CA Real Estate Opportunity Fund II, LLC (D.S. filed 12/13/18) (First Amended D.S. filed 1/18/19)

[Tele. appr., James C. Bastian, Jr., repr., Joe Parisi]

[Tele. appr., Philip E. Strok, repr., WJA Asset Management, LLC]

Docket 771

Tentative Ruling:

Tentative for 1/24/19 is to APPROVE.

Appearances required.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#6.00

Hearing RE: Omnibus Motion Of CA Express Fund, LLC And CA Real Estate Opportunity Fund II, LLC to Disallow Claims Pursuant To 11 U.S.C. 502(e) (Motion filed 12/21/18)

Claim No. 3-1 William Jordan \$ Zero or Unknown

Claim No. 6-1 William Jordan \$ Zero or Unknown

[Tele. appr., James C. Bastian, Jr., repr., Joe Parisi]

[Tele. appr., Philip E. Strok, repr., WJA Asset Management, LLC]

Docket 751

Tentative Ruling:

The Tentative for 1/24/19 is to GRANT the objection and disallow Claims 3-1 and 6-1 (collectively, "Claims") under § 502(e) to the extent that the Claims (1) are based on Mr. Jordan's right to payment, if any, arising from the indemnification provisions in the operating agreements of CA Express Fund and CA Real Estate Opportunities II (collectively, "Debtors"); and (2) seek indemnification in relation to the complaint filed by the SEC.

Debtors seek disallowance of the claims under § 502(e), and have established the three required elements for the limited basis described above. However, the Motion is ambiguous regarding the precise nature of the Claims; it represents that "**presumably**" the Claims are based on the indemnification provisions of the Debtors' operating agreements and seek indemnification for claims related to the complaint filed by the SEC. In light of such uncertainty, the Debtors have not met their burden to disallow the claims for anything other than the narrow circumstance described above.

If Debtors seek an order more generally disallowing these claims, they should

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

be prepared to explain why such disallowance is merited and point to the evidence in support of their position.

Appearances required.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall

Robert S Marticello

Michael Simon

Philip E Strok

Kyra E Andrassy

Roger F Friedman

Susan K Seflin

Steven T Gubner

Corey R Weber

Michael W Davis

Kathy Bazoian Phelps

Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 11

#7.00

STATUS CONFERENCE Hearing RE: (1) Case Management Conference And
(2) Requiring Status Report
(Petition filed 10/4/18)
(Case Converted on 12/4/18)

Docket 0

Tentative Ruling:

Tentative for 1/24/19 is to set the following dates/deadlines:

1. Deadline for filing a plan and disclosure statement: May 1, 2019. Note: the failure to timely file a plan and disclosure statement may result in the conversion or dismissal of the case.

2. Continued status conference: June 13, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#8.00

CONT'D Hearing RE: Notice Of Setting/Increasing Insider Compensation For Susan Kendall
(Notice filed 11/28/18) (Objection filed 11/28/18)

FR: 12-6-18

Docket 52

Tentative Ruling:

Tentative for 1/24/19:

On January 23, 2019, as Dk. No. 3 in Misc. No. 1:19-mp-00101-MT, the Court entered a district-wide order that grants the United States and its Departments and agencies, including the Office of the United States Trustee ("UST"), an extension of time to file various pleadings until after the conclusion of the ongoing government shutdown. The parties should review this order carefully prior to the hearing. At the hearing, the Court will inquire of the UST whether they wish to avail themselves of this extension. If the UST is unable to attend the hearing, the Court will continue this matter pending conclusion of the shutdown and expiration of the UST's extension.

Appearances required.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#9.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 11/5/18)

FR: 12-20-18

Docket 0

Tentative Ruling:

Tentative for 1/24/19 is to set the following dates/deadlines:

1. Deadline for filing a plan and disclosure statement: March 5, 2019. See Status Report filed 12/6/18 [Dk. 60], pg. 9:15-18. Note: the failure to timely file a plan and disclosure statement may result in the conversion or dismissal of the case.
2. Claims Bar Date: March 29, 2019 with notice to be served by February 28, 2019.
3. Continued status conference: April 18, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Tentative for 12/20/18:

The Court has received and reviewed the status report filed on December 6, 2018 [Dk. 60]. The Status Conference is CONTINUED to January 24, 2019 at 11:00 a.m. Debtor is to submit a supplemental status report, updating the report submitted for the December 20, 2018 status conference, by no later than 14 days in advance of the January 24, 2019 hearing.

Appearances are excused.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room 5C

11:00 AM

CONT... Kendall Frozen Fruits, Inc.

Chapter 11

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 24, 2019

Hearing Room

5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#10.00

Hearing RE: Debtor's Application For Order Authorizing Employment Of Channel Marketing Resources, Inc. as Financial Advisor
(Motion filed 12/4/18)
(Set per Order Entered 1/10/19)

Docket 56

Tentative Ruling:

Tentative for 1/24/19:

On January 23, 2019, as Dk. No. 3 in Misc. No. 1:19-mp-00101-MT, the Court entered a district-wide order that grants the United States and its Departments and agencies, including the Office of the United States Trustee ("UST"), an extension of time to file various pleadings until after the conclusion of the ongoing government shutdown. The parties should review this order carefully prior to the hearing. At the hearing, the Court will inquire of the UST whether they wish to avail themselves of this extension. If the UST is unable to attend the hearing, the Court will continue this matter pending conclusion of the shutdown and expiration of the UST's extension.

Appearances required.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 31, 2019

Hearing Room 5C

11:00 AM

8:15-10721 American Spectrum Realty Inc., a Maryland Corporat

Chapter 11

#1.00

CONT'D POST CONFIRMATION STATUS CONFERENCE Hearing: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 2/13/15) (Plan Confirmed on 7/8/16) (Set per Order Entered 7/8/16)

FR: 7-23-15; 1-7-16; 3-3-16; 3-31-16; 6-23-16; 11-16-16; 11-17-16; 11-30-16; 12-1-16, 5-11-17; 12-14-17; 5-31-18; 8-23-18

Docket 1

***** VACATED *** REASON: CONTINUED TO APRIL 18, 2019 AT 11:00 A.M. PER ORDER CONTINUING POST-CONFIRMATION STATUS CONFERENCE ENTERED 1-22-19 - (DOCKET NO. [196])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

American Spectrum Realty Inc., a

Represented By
Robert E Opera
Peter W Lianides
Andrew B Levin

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 31, 2019

Hearing Room 5C

11:00 AM

8:17-11743 Cecilio Romero Murrietta and Irma Bonilla Murrietta

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management
Conference And (2) Requiring Status Report
(Petition filed 5/1/17)

FR: 6-15-17; 6-29-17; 9-14-17; 10-5-17; 12-7-17; 12-14-17; 2-22-18; 5-31-18;
8-23-18

Docket 1

***** VACATED *** REASON: CONTINUED TO APRIL 18, 2019 AT 11:00
A.M. PER ORDER CONTINUING STATUS CONFERENCE ENTERED 1-
22-19 - (DOCKET NO. [196])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cecilio Romero Murrietta

Represented By
Andrew S Bisom

Joint Debtor(s):

Irma Bonilla Murrietta

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, January 31, 2019

Hearing Room 5C

11:00 AM

8:17-12753 David Vincent Ross and Cheri LeAnn Ross

Chapter 11

#3.00

Hearing RE Post Confirmation Report RE: Fourth Amended Chapter 11 Plan
Of Reorganization
(Set at Third Amended D.S. hearing held 6-7-18)
(Second Amended D.S. filed 3/29/18)
(Third Amended D.S. filed 5/16/18)
(Fourth Amended D.S. filed 6/14/18)
(Fourth Amended Plan filed 6/20/18)
(Set at Fourth Amended Ch. 11 Plan hearing held 8/23/18)

Docket 154

***** VACATED *** REASON: CONTINUED TO APRIL 18, 2019 AT 11:00
A.M. PER ORDER CONTINUING POST-CONFIRMATION STATUS
CONFERENCE ENTERED 1-16-19 - (DOCKET NO. [202])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Vincent Ross

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Cheri LeAnn Ross

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

10:00 AM

6:18-19370 Marvin Andrew Reed and Angela Candy Reed

Chapter 7

#1.00

Law Offices of Vincent V. Froujian, P.C. - movant attorney

Motion for Relief from Stay

American Honda Finance Corporation vs. DEBTORS, Karl T. Anderson, chapter 7 trustee
(Motion filed 1/11/19)

Re: 2017 HONDA ACCORD, VIN: 1HGC R2F5 8HA1 59244

EH _____

Docket 15

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Marvin Andrew Reed

Represented By
Roland D Tweed

Joint Debtor(s):

Angela Candy Reed

Represented By
Roland D Tweed

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

10:00 AM

CONT... Marvin Andrew Reed and Angela Candy Reed

Chapter 7

Movant(s):

AMERICAN HONDA FINANCE

Represented By
Vincent V Frounjian

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

10:00 AM

6:18-19955 Mike Kallman

Chapter 7

#2.00

McCarthy & Holthus, LLP - movant attorney

Motion for Relief from Stay

Wells Fargo Bank vs. DEBTOR
(Motion filed 1/8/19)

Re: 1141 Paseo Tasco Circle, Corona, CA 92882

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Mike Kallman

Represented By
Julie J Villalobos

Movant(s):

Wells Fargo Bank, N.A. as servicing

Represented By
Nancy L Lee

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

10:00 AM

6:18-19974 Stephen James Hargett and Amy Lynn McCarley

Chapter 7

#3.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

ACAR Leasing LTD vs. DEBTORS, Todd A. Frealy, trustee
(Motion filed 1/3/19)

Re: 2016 GMC Terrain, VIN 2GKALMEK0G6177800

EH_____

(Tele. appr. Sheryl Ith, rep. creditor, GM Financial)

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Stephen James Hargett

Represented By
David A Wiesen

Joint Debtor(s):

Amy Lynn McCarley

Represented By
David A Wiesen

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

10:00 AM

CONT... Stephen James Hargett and Amy Lynn McCarley

Chapter 7

Movant(s):

ACAR Leasing LTD dba GM

Represented By
Jennifer H Wang

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

10:00 AM

6:18-20728 Lovett Enterprises, Inc.

Chapter 7

#4.00

Law Offices of Ronald K. Brown, Jr. APC - movant attorney

Motion for Relief from Stay

Cheer Land the River, LP vs. DEBTOR, John P. Pringle, trustee
(Motion filed 1/3/19)

Re: 71800 HIGHWAY 111, SUITE A116, RANCHO MIRAGE, CA 92270

Docket 6

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Lovett Enterprises, Inc.

Represented By
Vikrant Chaudhry

Movant(s):

CHEER LAND THE RIVER, LP

Represented By
Ronald K Brown

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

10:00 AM

6:19-10179 Hector M Araiza, Jr.

Chapter 7

#5.00

Law Office of W. Derek May - movant attorney

Motion for Relief from Stay

Re: Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate

EH_____

Docket 6

Tentative Ruling:

Tentative for 2/5/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Hector M Araiza Jr.

Represented By
W. Derek May

Movant(s):

Hector M Araiza Jr.

Represented By
W. Derek May
W. Derek May

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

10:00 AM

6:18-17579 Mark D. Uy

Chapter 7

#5.10

Reid & Hellyer, APC - movant attorney

Motion for relief from stay

Virginia Bills vs. DEBTOR
(Motion filed 12/21/18)

Re: [Action in NonBankruptcy Forum]

EH_____

(Cont. from 1/22/19, on Court's own motion)

Docket 17

Tentative Ruling:

Tentative for 2/5/19 is to GRANT.

Section 362(d)(1) provides that "[o]n request of a party in interest and after notice and a hearing, the court shall grant relief from the stay . . . (1) for cause. . . ." 11 U.S.C. § 362(d)(1). "What constitutes 'cause' for granting relief from the automatic stay is decided on a case-by-case basis." *Kronemyer v. Am. Contractors Indem. Co. (In re Kronemyer)*, 405 B.R. 915, 921 (9th Cir. B.A.P. 2009); *Christensen v. Tucson Estates, Inc. (In re Tucson Estates, Inc.)*, 912 F.2d 1162, 1166 (9th Cir. 1990). "To obtain relief from the automatic stay, the party seeking relief must first establish a prima facie case that 'cause' exists for relief under § 362(d)(1)." *Plumberex*, 311 B.R. at 557 (footnote omitted). "Once a prima facie case has been established, the burden shifts to the debtor to show that relief from the stay is unwarranted." *Id.* "The decision whether to grant or deny stay relief is within the broad discretion of the bankruptcy court." *Id.* at 558; *Kronemyer*, 405 B.R. at 919 ("The decision of a bankruptcy court to grant relief from the automatic stay under § 362(d) is reviewed for abuse of discretion.").

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

10:00 AM

CONT... Mark D. Uy

Chapter 7

There are 12 non-exclusive factors that courts in the Ninth Circuit weigh to determine whether "cause" exists to grant relief to allow an entity to continue pending litigation against a debtor in a non-bankruptcy forum:

1. Whether the relief will result in a partial or complete resolution of the issues;
2. The lack of any connection with or interference with the bankruptcy case;
3. Whether the foreign proceeding involves the debtor as a fiduciary;
4. Whether a specialized tribunal has been established to hear the particular cause of action and whether that tribunal has the expertise to hear such cases;
5. Whether the debtor's insurance carrier has assumed full financial responsibility for defending the litigation;
6. Whether the action essentially involves third parties, and the debtor functions only as a bailee or conduit for the goods or proceeds in question;
7. Whether the litigation in another forum would prejudice the interests of other creditors, the creditors' committee and other interested parties;
8. Whether the judgment claim arising from the foreign action is subject to equitable subordination under Section 510(c);
9. Whether movant's success in the foreign proceeding would result in a judicial lien avoidable by the debtor under Section 522(f);
10. The interests of judicial economy and the expeditious and economical determination of litigation for the parties;
11. Whether the foreign proceedings have progressed to the point where the parties are prepared for trial, and
12. The impact of the stay on the parties and the "balance of hurt."

In re Plumberex Specialty Products, Inc., 311 B.R. 551, 559 (Bankr. C.D. Cal. 2004) (citing *In re Curtis*, 40 B.R. 795 (Bankr. D. Utah 1984)). Not all the factors will be relevant, and some will carry more weight than others. *Id.* at 560.

Here, it appears that the findings required to determine Debtor's liability for an

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

10:00 AM

CONT... Mark D. Uy

Chapter 7

alleged violation of the Elder Abuse Act will satisfy the elements required to except any related debt/resulting judgment from discharge under § 523(a)(6) on collateral estoppel principles. Thus, the relief will result in a nearly complete resolution of the issues and there is at most tangential interference with the bankruptcy case. Considering the issue of debtor's liability is determined entirely under state law, there are several other defendants involved in the case, and the state court action has already commenced, on balance, the factors favor granting relief from stay.

Appearances required.

Party Information

Debtor(s):

Mark D. Uy

Represented By
Raymond Obiamalu

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

11:00 AM

6:16-20368 MABEL VIRGINIA LEMOI

Chapter 7

#6.00

Hrg. on Chapter 7 Trustee's Motion filed 1/15/19 for Order: 1) Approving the Sale of the Estate's Right, Title and Interest in Real Property Subject to All Existing Liens, Claims, Encumbrances, Charges and Interests Pursuant to Bankruptcy Code § 363(b)(1) Subject to Overbids; 2) Approving Bidding Procedures Utilized; and 3) Granting Related Relief

EH_____

(Tele. appr. Raffi Khatchadourian, rep. creditor, Radiance Capitol)

Docket 100

Tentative Ruling:

Tentative for 2/5/19 is to GRANT. Trustee is to conduct an auction.

Party Information

Debtor(s):

MABEL VIRGINIA LEMOI

Represented By
Owen Mascott

Trustee(s):

Charles W Daff (TR)

Represented By
Lynda T Bui
Brandon J Iskander

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

11:00 AM

6:18-15760 Carlos R. Garcia and Margarita Garcia

Chapter 7

#7.00

Hrg. on Motion for order determining value of collateral

(Cont. from 12/4/18)

EH ____

(Tele. appr. Hydee J. Riggs, rep. Trustee, Karl Anderson)

Docket 27

Tentative Ruling:

Tentative for 2/5/19 is to DENY the Motion. The Property will be valued if and when the Trustee seeks approval of a potential sale.

Appearances required.

Party Information

Debtor(s):

Carlos R. Garcia

Represented By
Keith Q Nguyen

Joint Debtor(s):

Margarita Garcia

Represented By
Keith Q Nguyen

Trustee(s):

Karl T Anderson (TR)

Represented By
Hydee J Riggs

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

11:00 AM

6:18-18808 Peter Aaron Likins

Chapter 7

#8.00

Hrg. on Debtor's Motion filed 1/11/19 to vacate dismissal

EH_____

Docket 13

Tentative Ruling:

Tentative for 2/5/19:

This matter is CONTINUED to February 19, 2019 at 11:00 a.m. to allow Debtor to file additional documents by no later than February 15, 2019 at noon, as set forth below.

1. Debtor must complete, sign and file another Declaration by Debtor as to Whether Income Was Received From an Employer Within 60 Days (Form 1002.1Emp.Income.Dec). While Debtor previously filed this form on October 29, 2018 [Dk. 8], Debtor did not properly complete it by checking one of the boxes, as required. This failure was the basis for the dismissal of Debtor's case.

2. Debtor, or Debtor's counsel, if appropriate, must submit a declaration in support of the motion.

If the above documents are filed by no later than noon on February 15, 2019, the Court will GRANT the Motion and excuse appearances at the continued hearing.

No hearing will occur on February 5, 2019.

Party Information

Debtor(s):

Peter Aaron Likins

Represented By
Owen Mascott

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

11:00 AM

CONT... Peter Aaron Likins

Chapter 7

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

11:00 AM

6:18-15684 Christopher John Mulvania

Chapter 7

#8.10

Hrg. on chapter 7 trustee's Application filed 11/19/18 to Employ Turoci Bankruptcy Firm as Special Counsel

EH_____

(Cont. from 1/22/19, on Court's own motion)

(Tele. appr. Larry D. Simons, rep. trustee, Larry D. Simons)

Docket 29

Tentative Ruling:

Tentative for 2/5/19:

Appearances required by the Applicant, the Chapter 7 Trustee Larry Simons, and Debtor's counsel. The Trustee is instructed to appear himself, not only through counsel.

Tentative for 1/22/19:

This matter is CONTINUED to 2/5/19 at 11:00 a.m. on the Court's motion.

The 1/22/19 hearing is VACATED.

Tentative for 1/22/19 is to DENY the Application for the reasons stated in Debtor's Response filed on 1/15/19 [Dk. 35]. The Trustee may make his reply to the Debtor's Response at the hearing.

Appearances required by the Applicant, the Chapter 7 Trustee Larry Simons, and Debtor's counsel. The Trustee is instructed to appear himself, not only through counsel.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

11:00 AM

CONT... Christopher John Mulvania

Chapter 7

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Movant(s):

Larry D Simons (TR)

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

6:17-19048 Caroline C Mendoza

Chapter 11

#9.00

Hrg. on approval of Disclosure Statement

EH_____

Docket 0

Tentative Ruling:

Tentative for 2/5/19:

Counsel should appear and be prepared to discuss the following issues:

1. The feasibility of the plan appears to be based in part on payments from third parties. Debtor should provide additional support for approval of a plan under Chapter 11 with such a contingency. Further, the Court notes that Debtor's family members have provided declarations stating that they can afford to and will continue to make the payments to the Debtor in support of her plan; however, these statements lack foundation and detail sufficient to convince the Court of their reliability. For example, while Mr. Mendoza and Ms. Calangi both provide their monthly income, they do not state their monthly expenses, so the Court cannot evaluate whether they truly have the financial ability to make the promised monthly contributions for the duration of the Debtor's plan.
2. It is not clear that the treatment of the claims of junior lienholders Angelina Yumang and AMC Rockwell Corporation as unsecured claims owed \$0.00 is appropriate. Debtor argues her personal obligation on this lien was discharged in 2012, and the Creditors' liens were stripped pursuant to a motion to value. In support of this assertion, Debtor cites case law for Chapter 13 cases, but does not address the effect of §

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

CONT...

Caroline C Mendoza

Chapter 11

1111(b)(A) (which does not apply in Chapter 13), which provides that a claim secured by property of the estate shall be treated as though the holder had recourse against the debtor on account of the claim. See *In re B.R. Brookfield Commons No. 1 LLC*, 735 F.3d 596, 598 (7th Cir. 2013) (requiring an otherwise non-recourse claim to be treated as if creditor had recourse against debtors because creditor's claim was secured by a valid lien against debtors' property); *In re Salamon*, 854 F.3d 632, 636 (9th Cir. 2017) (finding that §1111(b)(A) did not apply where the property had been sold and the liens were secured by property that was no longer property of the estate).

3. The Plan and Disclosure Statement propose to modify a mortgage secured by Debtor's primary residence. It is unclear why this is permissible under §1123(b)(5).
4. While the Disclosure Statement references the Wells Fargo Motion for Relief from stay with respect to the 16593 Catena Drive Property, it does not mention the relief from stay motion with respect to the 2226 Rancho Hills Drive property that was granted on June 22, 2018 [Dk. 75], or whether this property remains property of the estate or if this relief from stay has any effect on the estate.

Appearances required.

Tentative for 10/9/18:

The Court has reviewed the status report filed 9/25/18 [Dk. 92] and is unclear why Debtor requires another 60 days prior to filing her plan and disclosure statement in what appears to be a straightforward (secured debt only; no claim objections; no avoidance actions) individual Chapter 11 case, which has already been pending nearly a year.

Appearances required.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

CONT... Caroline C Mendoza

Chapter 11

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

6:17-19048 Caroline C Mendoza

Chapter 11

#10.00

Hrg. on Chapter 11 Status Conference

(Cont. from 10/9/18)

EH_____

Docket 0

Tentative Ruling:

Tentative for 2/05/19 is to set a CONTINUED date of April 2, 2019, at 1:30 p.m.

Tentative for 10/9/18:

The Court has reviewed the status report filed 9/25/18 [Dk. 92] and is unclear why Debtor requires another 60 days prior to filing her plan and disclosure statement in what appears to be a straightforward (secured debt only; no claim objections; no avoidance actions) individual Chapter 11 case, which has already been pending nearly a year.

Appearances required.

Party Information

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#11.00

Hrg. on Use of Cash Collateral

EH_____

(Cont. from 1/22/19)

Docket 29

***** VACATED *** REASON: Cont. to 5/14/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#12.00

Hrg. on Application filed 12/6/18 to Employ Winthrop Couchot Golubow Hollander, LLP as General Insolvency Counsel

EH_____

Docket 96

Tentative Ruling:

Revised Tentative for 2/5/19 is to APPROVE the Application, as modified by the Reply filed on 1/28/19 [Dk. 138], except as follows:

Notwithstanding the Withdrawal of the UST's Objection, filed on 2/1/19 [Dk. 144], the Court is not inclined to approve the Firm's requests for a post-petition retainer or that monthly payments with a 20% holdback be permitted pursuant to *Knudsen*. See *In re Knudsen Corp.*, 84 B.R. 668, 672 (B.A.P. 9th Cir. 1988). In *Knudsen*, the court permitted periodic post-petition payments to professionals without prior court approval of the payments, "in the *rare* case where the court can make the following findings":

1. The case is an unusually large one in which an exceptionally large amount of fees accrue each month;
2. The court is convinced that waiting an extended period for payment would place an undue hardship on counsel;
3. The court is satisfied that counsel can respond to any reassessment in one or more of the ways listed above; and
4. The fee retainer procedure is, itself, the subject of a noticed hearing prior to any payment thereunder.

Id. at 672-3.

The Court is not convinced that the *Knudsen* factors apply in this case to permit the payment procedures requested. The Court is also not inclined to approve the requested post-petition retainer.

Appearances required.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

CONT... Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Peter W Lianides

Alastair M Gesmundo

Robert E Opera

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#13.00

Hrg. on Debtor's motion filed 11/21/18 for approval of chapter 11 Disclosure Statement

(Cont from 1/8/19)

EH_____

Docket 53

***** VACATED *** REASON: Continued to 4/16/19 at 1:30 pm per order entered 1/15/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#14.00

Hrg. on Debtor's Motion filed 1/4/19 to Disallow Claims Proof of Claim No. 3 filed by TD Capital, LLC with Proof of Service

EH_____

Docket 75

Tentative Ruling:

Tentative for 2/05/19:

The Objection to Proof of Claim No. 3 will be consolidated with the Objection to Proof of Claim No. 4. Please see the tentative re: the Objection to Proof of Claim No. 4, which is the next matter on calendar.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#15.00

Hrg. on Debtor's Motion filed 1/4/19 to Disallow Claims Disallow Proof of Claim No. 4 filed by TD Capital, LLC

EH_____

Docket 76

Tentative Ruling:

Tentative for 2/5/19:

The Objection as to timeliness is overruled. The bar date was the Friday after Thanksgiving. The proof of claim was filed the Monday following the Thanksgiving holiday (the next business day after the bar date). The Declaration submitted by Debtor's counsel provides sufficient evidence to allow the claim as timely filed based on excusable neglect. Debtor's argument that it was prejudiced due to the three-day delay in filing the proof of claim is not persuasive, particularly considering the Debtor filed its first plan and disclosure statement before the claims bar date passed.

As to the substantive issue of whether the claim is owed to the Claimant, Debtor asserts that the Claimant has filed false and/or forged documents in support of its claim. These are serious allegations. The Court is inclined to set an evidentiary hearing on April 30, 2019 at 1:30 p.m. and establish a briefing schedule on the issue of (1) whether the claim is, in fact, owed to the claimant; and (2) whether the Claimant presented false evidence to the Court. The Parties should be prepared to discuss whether discovery is required and whether the proposed hearing date provides the Parties with sufficient preparation time.

Appearances required.

Party Information

Debtor(s):

Investment Group, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

CONT... Investment Group, LLC

Todd L Turoci

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

6:17-20415 Mario Antonio Garcia, Sr. and Veronica Bolanos Garcia

Chapter 11

#16.00

Hrg. on Debtors' Motion filed 11/21/18 to Convert Case From Chapter 11 to 7 or in the alternative to a chapter 13

EH_____

(Cont. from 1/22/19)

(Tele. appr. David Golubchik, rep. Trustee, Todd A. Frealy)

Docket 137

Tentative Ruling:

Tentative for 2/05/19:

The Court is inclined to convert the case, but would like to hear from the United States Trustee.

Appearances required.

Tentative for 1/22/19:

This matter is CONTINUED to 2/5/19 at 1:30 p.m. on the Court's motion.

The 1/22/19 hearing is VACATED.

Tentative for 12/18/18 is to DENY.

On September 18, 2018, at the hearing on the Order to Show Cause why a Chapter 11 Trustee should not be appointed, the Court found neither dismissal nor conversion was in the best interests of creditors and there was cause to appoint a Chapter 11 Trustee. See Dk. 123. The Order appointing a Chapter 11 Trustee was never appealed. This Motion appears to be a

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

CONT... **Mario Antonio Garcia, Sr. and Veronica Bolanos Garcia** **Chapter 11**
collateral attack, in part, on the Order Appointing Chapter 11 Trustee.

Moreover, Debtors have already acknowledged they did not qualify for either Chapter 7 nor Chapter 13 on the Petition Date. As debtors out of possession, they are not entitled to convert their case to Chapter 7. 11 U.S.C. § 1112(a) (1). Debtors have provided no legal authority that they are entitled or even eligible to convert to either 7 or 13, nor have they provided evidence that conversion is in the best interests of creditors.

Appearances required.

Party Information

Debtor(s):

Mario Antonio Garcia Sr.

Represented By
Michael J Allison

Joint Debtor(s):

Veronica Bolanos Garcia

Represented By
Michael J Allison

Trustee(s):

Todd A. Frealy (TR)

Represented By
Monica Y Kim

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

6:17-20415 Mario Antonio Garcia, Sr. and Veronica Bolanos Garcia

Chapter 11

#17.00

Hrg on Disclosure Statement

EH _____

(Cont. from 1/22/19)

Docket 59

Tentative Ruling:

Tentative for 2/05/19:

None listed.

Tentative for 1/22/19:

This matter is CONTINUED to 2/5/19 at 1:30 p.m. on the Court's motion.
The 1/22/19 hearing is VACATED.

Tentative for 11/06/18 is to CONTINUE this matter to February 5, 2019 at
1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Mario Antonio Garcia Sr.

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

CONT... Mario Antonio Garcia, Sr. and Veronica Bolanos Garcia
Michael J Allison

Chapter 11

Joint Debtor(s):

Veronica Bolanos Garcia

Represented By
Michael J Allison

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

6:17-20415 Mario Antonio Garcia, Sr. and Veronica Bolanos Garcia

Chapter 11

#18.00

Hrg on Chapter 11 Status Conference

(Cont. from 11/6/18)

EH _____

Docket 59

Tentative Ruling:

Tentative for 2/05/19:

None listed.

Tentative for 11/06/18 is to CONTINUE this matter to February 5, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Mario Antonio Garcia Sr.

Represented By
Michael J Allison

Joint Debtor(s):

Veronica Bolanos Garcia

Represented By
Michael J Allison

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 5, 2019

Hearing Room 126

1:30 PM

6:15-12078 Orange County Nursery, Inc.

Chapter 11

#19.00

Hrg. on Status Conference to evaluate the status of the resolution of the discovery dispute and to set appropriate dates and deadline for the Evidentiary Hearing

EH_____

Docket 0

***** VACATED *** REASON: Ordered 1/31/19 setting Status Conference for 4/30/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Orange County Nursery, Inc.

Represented By

David S Kupetz

Steven Werth

Elissa Miller

Arthur Gutierrez Longoria

Tamar Terzian

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

10:00 AM

6:18-18096 Jose Rolando Lemus and Sandra Luz Lemus

Chapter 7

#1.00

Hrg. on approval of reaffirmation Agreement filed 12/28/18 Between Debtor and JPMorgan Chase Bank, N.A., in the amount of \$22,360.63

Re: 2017 Jeep Cherokee

Docket 10

*** VACATED *** REASON: Continued to 3/6/19 at 10:00 am per order entered 1/25/19 - slh

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Rolando Lemus

Represented By
Yolanda Flores-Burt

Joint Debtor(s):

Sandra Luz Lemus

Represented By
Yolanda Flores-Burt

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

10:00 AM

6:18-18329 Gabriel Alfredo Acuna and Blanca Estella Salser-Acuna

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement filed 1/2/19, Between Debtor and Arrowhead Credit Union, in the amount of \$23,382.37

Re: 2016 Nissan Maxima

Docket 11

***** VACATED *** REASON: Continued to 3/6/19 at 10:00 am per order entered 1/25/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gabriel Alfredo Acuna

Represented By
Neil R Hedtke

Joint Debtor(s):

Blanca Estella Salser-Acuna

Represented By
Neil R Hedtke

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

10:00 AM

6:18-18592 Jose Garcia Garcia and Jaqueline Janeth Huezo Asencio

Chapter 7

#3.00

Hrg. on approval of Reaffirmation Agreement filed 1/10/19, Between Debtor and Cab West, LLC, in the amount of \$1872.60

Re: 2016 Ford Fusion

Docket 12

*** VACATED *** REASON: Continued to 3/6/19 at 10:00 am per order entered 1/25/19 - slh

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Garcia Garcia Pro Se

Joint Debtor(s):

Jaqueline Janeth Huezo Asencio Pro Se

Trustee(s):

Larry D Simons (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

10:00 AM

6:18-19043 Donald Meredith Dible

Chapter 7

#4.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, in the amount of \$12,906.11

Re: 2015 Kia Sportage

Docket 19

***** VACATED *** REASON: Continued to 3/6/19 at 10:00 am per order
entered 1/25/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Donald Meredith Dible

Represented By
Stephen H Darrow

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

10:00 AM

6:18-19288 Allen Kozakovsky and Amy N Kozakovsky

Chapter 7

#5.00

Hrg. on approval of Reaffirmation Agreement filed 1/15/19 Between Debtor and Ultura Credit Union, in the amount of \$7,815.29

Re: 2014 Harley Davidson

Docket 12

***** VACATED *** REASON: Notice of Withdrawal of Reaffirmation agreement filed by creditor, Altura, on 1/23/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allen Kozakovsky

Represented By
Sundee M Teeple

Joint Debtor(s):

Amy N Kozakovsky

Represented By
Sundee M Teeple

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

10:00 AM

6:18-19288 Allen Kozakovsky and Amy N Kozakovsky

Chapter 7

#6.00

Hrg. on Approval of Reaffirmation Agreement filed 1/15/19 Between Debtor and Altura Credit Union, in the amount of \$25,657.47

Re: 2016 Hyundai Santa Fe

Docket 14

***** VACATED *** REASON: Notice of Withdrawal of Reaffirmation agreement filed by creditor, Altura, on 1/23/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allen Kozakovsky

Represented By
Sundee M Teeple

Joint Debtor(s):

Amy N Kozakovsky

Represented By
Sundee M Teeple

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

10:00 AM

6:18-20132 Mario Edgardo Escalante Lopez

Chapter 7

#7.00

Hrg. on Approval of Reaffirmation Agreement filed 1/14/19 Between Debtor and Toyota Motor Credit Corporation, in the amount of \$15,944.99

Re: 2013 Toyota Highlander

Docket 12

***** VACATED *** REASON: Continued to 3/6/19 at 10:00 am per order entered 1/25/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mario Edgardo Escalante Lopez

Represented By
Marlin Branstetter

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

10:00 AM

6:18-20135 Sylvia Garcia

Chapter 7

#8.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation, in the amount of \$25,703.79

Re: 2017 Toyota RAV4

Docket 13

***** VACATED *** REASON: Continued to 3/6/19 at 10:00 am per order
entered 1/25/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sylvia Garcia

Represented By
Marlin Branstetter

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

1:30 PM

6:16-21137 Carroll Ann Vandre

Chapter 7

Adv#: 6:18-01230 Whitmore v. Scott et al

#13.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against Darbie Vandre Scott, Carroll Ann Vandre. (Charge To Estate). (\$350.00) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other))

EH_____

Docket 1

***** VACATED *** REASON: Continued to 3/20/19 at 10:00 am per order entered 1/25/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Caroll Ann Vandre

Represented By
Gene P Killian

Defendant(s):

Darbie Vandre Scott

Pro Se

Caroll Ann Vandre

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Douglas A Plazak

Trustee(s):

Robert Whitmore (TR)

Represented By
Douglas A Plazak

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

1:30 PM

6:17-17638 Wendy Carrillo

Chapter 7

Adv#: 6:17-01254 Baumgartner et al v. Carrillo

#14.00

Pre-Trial CONFERENCE re: Complaint by Brett Baumgartner, Margaret
Baumgartner against Wendy Carrillo - 523(a)(4), (a)(6)

(cont. from 11/28/18)

EH_____

Docket 1

***** VACATED *** REASON: Order Granting Stipulation to dismiss case
with prejudice - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wendy Carrillo

Represented By
Paul Y Lee

Defendant(s):

Wendy Carrillo

Pro Se

Plaintiff(s):

Brett Baumgartner

Represented By
Laura Blumenstein

Margaret Baumgartner

Represented By
Laura Blumenstein

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

1:30 PM

6:17-19913 Thomas John Forrest
Adv#: 6:18-01197 Simons (TR) v. Forrest

Chapter 7

#15.00

Hrg. on Plaintiff's Motion for Default Judgment filed 1/8/19

EH_____

Docket 20

Tentative Ruling:

Tentative for 2/6/19:

Movant seeks default judgment on the Complaint's Fifth, Sixth, Seventh, Eighth, Eleventh, and Thirteenth Causes of Action, and states that Movant will dismiss the remaining causes of action provided the transfer at issue is avoided. As set forth below, the Motion may be GRANTED and default judgment may be entered in favor of the Plaintiff and against Defendant Sarah Forrest on Plaintiff's Fifth, Sixth, Seventh, Eighth, and Eleventh Causes of Action ("Avoidance Causes of Action"), provided Movant DISMISSES all other allegations and causes of action in the Complaint. To the extent the Motion seeks an order requiring turnover, the Motion is DENIED.

Plaintiff's Fifth, Sixth, Seventh, Eighth, and Eleventh Causes of Action

Debtor acquired real property ("Property") on August 1, 2012 via grant deed which described the Property as Debtor's "sole and separate property" ("2012 Deed"). Debtor and Wife contemporaneously recorded an interspousal transfer deed on August 1, 2012 in which Wife quitclaimed any interest in the Property to the Debtor ("2012 Quitclaim Deed"). On July 31, 2014, Debtor recorded a grant deed ("2014 Deed") that transferred a joint tenancy interest in the Property to Wife for "no consideration" ("Transfer"). Movant has proved adequate evidence that, *inter alia*, the Transfer was a transfer of all or substantially all of Debtor's assets, made to an insider, within 4 years of the petition date, for no consideration, when substantial debts had been incurred, and that Debtor retained possession of the Property after the Transfer.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

1:30 PM

CONT... Thomas John Forrest

Chapter 7

Thus, provided Movant dismisses all other allegations and causes of action in the Complaint, default judgment may be entered in favor of the Plaintiff and against Defendant Sarah Forrest on the Avoidance Causes of Action.

Thirteenth Cause of Action

Movant has not established he is entitled to default judgment for the Thirteenth Cause of Action seeking declaratory relief. It appears that Movant seeks declaratory relief that the Property is community property.

Generally, all property acquired during marriage is presumed to be community property. Cal. Fam. Code. § 760. Spouses may change the character of their property by executing a transmutation agreement, which must be an express declaration by the spouse whose interest in the property is adversely affected. See Cal. Fam. Code § 852; *In re Marriage of Valli*, 324 P.3d 274, 276 (Cal. 2014); *In re Marriage of Haines*, 33 Cal.App.4th 277, 39 Cal.Rptr.2d 673, 681 (1995). The transmutation requirements apply even when the form of the title suggests a beneficial interest other than community property (such as joint tenancy or one spouse as his sole and separate property) in the context of a marital dissolution. See *Valli*, 324 P.3d at 280 (ruling that the common law presumption that the holder of legal title owns full beneficial title, as codified in Cal. Evid. Code § 662, does not apply when it conflicts with the transmutation statutes). However, the law regarding competing title and community property presumptions in the context of a bankruptcy is not settled. See *In re Brace*, 908 F.3d 531, 540 (9th Cir. 2018) (recognizing the lack of controlling California precedent addressing the "applicability of the community property presumption in suits between a married person and a third party creditor" and certifying the following question to the Supreme Court of California: "Does the form of title presumption set forth in section 662 of the California Evidence Code overcome the community property presumption set forth in section 760 of the California Family Code in Chapter 7 bankruptcy cases where: (1) the debtor husband and non-debtor wife acquire property from a third party as joint tenants; (2) the deed to that property conveys the property at issue to the debtor husband and non-debtor wife as joint tenants; and (3) the interests of the debtor and non-debtor spouse are aligned against the trustee of the bankruptcy estate?").

**United States Bankruptcy Court
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Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

1:30 PM

CONT... Thomas John Forrest

Chapter 7

Here, Debtor acquired the Property during marriage, so the community property presumption applies. However, Movant has not demonstrated that the 2012 Quitclaim Deed did not effect a valid transmutation that defeats the community property presumption, so Movant is not entitled to declaratory relief that the Property was community property prior to the execution of the 2014 Deed. See *In re Marriage of Kushesh and Kushesh-Kaviani*, 238 Cal. Rptr. 3d 174, 180 (Cal. Ct. App. 2018) (finding an interspousal transfer grant deed was sufficient to meet § 852's transmutation requirements). Since the 2014 Deed may be avoided and recovered pursuant to the Avoidance Causes of Action, the Court denies as moot any request to analyze the effect of the Transfer on the characterization of the property.

Thus, the evidence and legal argument provided by Movant is not sufficient to establish he is entitled to default judgment in his favor on the Thirteenth Cause of Action. Accordingly, the Motion is DENIED as to the Thirteenth Cause of Action.

Turnover

To the extent that the Motion seeks turnover under § 542, the Motion is DENIED, without prejudice. Turnover was not sought in the Complaint (only avoidance and recovery). Therefore, default judgment requiring turnover may not now be entered against Ms. Forrest. To the extent the Motion seeks turnover from the Debtor, this Motion does not provide adequate notice that this relief was requested. The Motion is in the adversary, and not the main bankruptcy case. Turnover is not included in either the Notice or the title of the Motion, and is only discussed at pg. 11-12 of the points and authorities and at ¶ 26 of counsel's declaration. The Court will not enter an order requiring turnover absent the appropriate due process.

Appearances required.

Party Information

Debtor(s):

Thomas John Forrest

Represented By
Michael F Chekian

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

1:30 PM

CONT... Thomas John Forrest

Chapter 7

Defendant(s):

Sarah E. Forrest

Pro Se

Plaintiff(s):

Larry D. Simons (TR)

Represented By
Wesley H Avery

Trustee(s):

Larry D Simons (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 6, 2019

Hearing Room 126

1:30 PM

6:18-14917 Hao Wang

Chapter 7

Adv#: 6:18-01175 Huang v. Wang

#16.00

Hrg. on Plaintiff's Motion filed 11/13/18 for Default Judgment Under LBR 7055-1

EH_____

(Cont. from 12/19/18)

Docket 12

Tentative Ruling:

Tentative for 2/06/19:

The Court has reviewed the supplemental pleadings filed 1/14/19 [Dk. 19] and will GRANT the motion. Plaintiff is to lodge two orders: (1) one granting the motion for default judgment; and (2) a proposed judgment.

Appearances are excused.

Tentative for 12/19/18 is to CONTINUE to February 6, 2019 at 1:30 p.m. to allow Plaintiff to supplement the motion for default judgment, as set forth below.

The entry of default against a defendant does not automatically entitle a plaintiff to judgment. See *Valley Oak Credit Union v. Villegas (In re Villegas)*, 132 B.R. 742, 746 (9th Cir. BAP 1991). Rule 55(b)(2) requires a plaintiff to apply to the court for a default judgment. The court has broad discretion under Rule 55(b)(2) to "conduct such hearings . . . as it deems necessary and proper" in order to "establish the truth of any averment by evidence. . . ." Under this rule, the court may require a plaintiff to demonstrate a *prima facie* case by competent evidence in a prove-up trial to obtain a default judgment. See *Villegas*, 132 B.R. at 746; *TeleVideo Systems Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987).

The court has wide discretion under Rule 55 to consider whether the evidence

**United States Bankruptcy Court
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Hearing Room 126

1:30 PM

CONT...

Hao Wang

Chapter 7

presented supports a claim and warrants judgment for the plaintiff. See *Wells Fargo Bank v. Beltran (In re Beltran)*, 182 B.R. 820, 823–24 (9th Cir. BAP 1995); *Villegas*, 132 B.R. at 746; see generally 10A Charles Alan Wright, Arthur R. Miller & Mary Kay Kane, *Federal Practice and Procedure: Civil* § 2685 (3d ed.1998).

Here, first, the Plaintiff may not rely on the collateral estoppel effect of the underlying state court action because the underlying state court action included breach of contract and negligent causes of action. The state court judgment did not specify or apportion the damages and, while Plaintiff has asserted that all damages were fraud-based, there is no evidence in the record supporting that contention. For instance, the declarations submitted in support of the state court judgment, or a transcript of the hearing, which would have indicated what the state court considered when awarding its judgment, were not provided.

Second, the allegations in the adversary complaint are not specific enough to warrant a nondischargeability judgment in the amount sought. FRCP 9(b) requires when alleging fraud "a party must state with particularity the circumstances constituting fraud..." *Fed. R. Civ. P. 9(b)*. "Rule 9(b) demands that the circumstances constituting the alleged fraud 'be 'specific enough to give defendants notice of the particular misconduct...so that they can defend against the charge and not just deny that they have done anything wrong.'" Averments of fraud must be accompanied by 'the who, what, when, where, and how' of the misconduct charged. A party alleging fraud must 'set forth more than the neutral facts necessary to identify the transaction." *Kearns v. Ford Motor Co.*, 567 F.3d 1120 (9th Cir. 2009) (citing *Vess v. Ciba-Geigy Corp. USA*, 317 F.3d 1097 (9th Cir. 2003) and *In re GlenFed, Inc. Sec. Litig.*, 42 F.3d 1541, 1548 (9th Cir. 1994), *superceded by statute on other grounds*). "'While statements of the time, place and nature of the alleged fraudulent activities are sufficient, mere conclusory allegations of fraud are insufficient.'" *Moore v. Kayport Package Express*, 885 F.2d 531, 540 (9th Cir. 1989). *Hudson v. Sherwood Sec. Corp.*, 1991 U.S. App. LEXIS 30612, 5-6 (9th Cir. Dec. 24, 1991).

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CONT...

Hao Wang

Chapter 7

The Complaint makes broad descriptions of statements or omissions made by Defendant to Plaintiff. For example, "Defendant Wang made multiple misrepresentations to Plaintiff regarding the progress of the restaurant venture; concealed material facts regarding restaurant-related finances, the termination of the restaurant lease, and failed to disclose his use of Plaintiff's funds for other than the restaurant venture, that he was withdrawing her funds without authorization, and that the lessor had terminated the lease for failure to submit required restaurant construction plans" and "misleading statements to Plaintiff about his expertise in the restaurant business, the progress of the restaurant venture. . ." Complaint, pg. 7:23-10, 13-15.

However, while the parties involved and the *general* nature of statements or omissions are described, the specific misrepresentations and their timing are not clear. In fact, the majority of the misrepresentations and omissions alleged appear to have occurred *after* Plaintiff paid Defendant, i.e. after reliance. The only representations that clearly occurred before Plaintiff paid Defendant are regarding Defendant's expertise in the restaurant industry, but there are no allegations indicating these statements are false. Without more specific information regarding when the false representations upon which Plaintiff relied were made, the Court cannot effectively evaluate whether Defendant had fraudulent intent at the time the representation was made.

Accordingly, Plaintiff may file supplemental papers by no later than January 16, 2019, with appropriate evidence of the basis for the state court's ruling or evidence that more clearly describes the specific statements made upon which Plaintiff relied, the timing of those statements, and the intent with which Defendant made those statements.

Appearances are excused.

Party Information

Debtor(s):

Hao Wang

Represented By

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CONT... Hao Wang

Chapter 7

Sam X J Wu

Defendant(s):

Hao Wang

Pro Se

Plaintiff(s):

Sufen Huang

Represented By
Ronald J Sokol

Trustee(s):

Arturo Cisneros (TR)

Pro Se

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6:18-14917 Hao Wang

Chapter 7

Adv#: 6:18-01175 Huang v. Wang

#17.00

STATUS CONFERENCE re: Complaint by Sufen Huang against Hao Wang - 523(a)(2)

EH_____

(Cont from 12/19/18)

Docket 1

Tentative Ruling:

Tentative for 2/06/19:

This matter will go off calendar in light of the Court's tentative on #16 to grant the motion for default judgment.

Appearances are excused.

Tentative for 12/19/18 is to CONTINUE to February 6, 2019 at 1:30 p.m.

Appearances are excused.

Party Information

Debtor(s):

Hao Wang

Represented By
Sam X J Wu

Defendant(s):

Hao Wang

Pro Se

Plaintiff(s):

Sufen Huang

Represented By

**United States Bankruptcy Court
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CONT... Hao Wang

Ronald J Sokol

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
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Wednesday, February 6, 2019

Hearing Room 126

1:30 PM

6:18-14917 Hao Wang

Chapter 7

Adv#: 6:18-01177 Shao v. Wang

#18.00

Hrg. on Plaintiff's Motion filed 11/26/18 for Default Judgment under LBR 7055-1

EH_____

(Cont. from 1/23/19)

Docket 8

Tentative Ruling:

Revised tentative for 2/06/19 is to GRANT the motion for default judgment under § 523(a)(4) in light of Plaintiff's dismissal of its §§ 523(a)(2) and (a)(6) claims filed January 31, 2019 [Dk. 12].

Plaintiff is to lodge two orders: (1) one granting the motion for default judgment; and (2) a proposed judgment.

Appearances are excused.

Tentative for 2/06/19 is to DENY without prejudice as set forth below.

The Court could grant the motion for default judgment under § 523(a)(4), but is unable to grant default judgment under § 523(a)(2) or (a)(6) because the elements of those claims have not been sufficiently demonstrated. If the plaintiff wishes to file a dismissal of the claims under § 523(a)(2) and (a)(6), the court will enter default judgment under § 523(a)(4). However, absent a dismissal of these claims, the court will deny the Motion, without prejudice to amendment of the complaint to include more detailed allegations and/or filing a second motion for default judgment with additional evidence.

Appearances required.

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CONT... Hao Wang

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Analysis

The entry of default against a defendant does not automatically entitle a plaintiff to judgment. See *Valley Oak Credit Union v. Villegas (In re Villegas)*, 132 B.R. 742, 746 (9th Cir. BAP 1991). Rule 55(b)(2) requires a plaintiff to apply to the court for a default judgment. The court has broad discretion under Rule 55(b)(2) to "conduct such hearings . . . as it deems necessary and proper" in order to "establish the truth of any averment by evidence. . . ." Under this rule, the court may require a plaintiff to demonstrate a *prima facie* case by competent evidence in a prove-up trial to obtain a default judgment. See *Villegas*, 132 B.R. at 746; *TeleVideo Systems Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987).

The court has wide discretion under Rule 55 to consider whether the evidence presented supports a claim and warrants judgment for the plaintiff. See *Wells Fargo Bank v. Beltran (In re Beltran)*, 182 B.R. 820, 823–24 (9th Cir. BAP 1995); *Villegas*, 132 B.R. at 746; see generally 10A Charles Alan Wright, Arthur R. Miller & Mary Kay Kane, *Federal Practice and Procedure: Civil* § 2685 (3d ed.1998).

Here, as to Plaintiff's claims under 11 U.S.C. § 523(a)(4), Plaintiff has adequately plead and provided sufficient evidence to support default judgment in her favor in the amount of \$150,000. Therefore, the Motion could be granted with respect to Plaintiff's claims under § 523(a)(4).

However, Plaintiff has not adequately plead or has not provided sufficient evidence to establish the elements required to prove a claim is nondischargeable under § 523(a)(2) or (a)(6).

§ 523(a)(2)(A)

With respect to Plaintiff's claims under 11 U.S.C. § 523(a)(2), the allegations in the adversary complaint are not sufficient to warrant a nondischargeability judgment in the amount sought. § 523(a)(2)(A) provides that a debt for money, property, services, or an extension, renewal, or refinancing of credit will not be discharged to the extent obtained by "false pretenses, a false representation, or actual fraud, other than a statement respecting the debtor's or an insider's

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financial condition." 11 U.S.C. § 523(a)(2). A promise to perform acts in the future that is subsequently breached is not, by itself, a fraudulent representation that can give rise to a conclusion of nondischargeability under either path of § 523(a)(2)(A). For instance, the promise to timely pay, or to provide a deed of trust as security, in of itself, is not a fraudulent representation.

For a debtor's representation to be a "false representation or false pretense," it must have been "(1) a knowing and fraudulent falsehood, (2) describing past or current facts, (3) that was relied upon by the other party." *RecoverEdge v. Pentecost*, 44 F.3d 1284, 1292-93 (5th Cir. 1995) (citations omitted); *see also Field v. Mans*, 516 U.S. 59, 73-75 (1995). A debtor's misrepresentations of his intention to repay a debt may constitute a false representation within the meaning of the dischargeability provision if, when the representation is made, the debtor has no intention of performing as promised.

Here, Plaintiff alleges that Defendant falsely represented that he entered into the Agreement in good faith, that he had read the entire agreement, agreed with all of its provisions, intended to abide by it in its entirety, and entered into it voluntarily. Dk. 8-1, pg. 3. However, Plaintiff provides no evidence that these representations were false at the time Defendant made these representations, or that Defendant knew they were false; i.e., that Defendant entered into the Agreement with no intention of ever complying with the agreement. Accordingly, Plaintiff is not entitled to default judgment under § 523(a)(2).

§ 523(a)(6)

With respect to Plaintiff's claims under 11 U.S.C. § 523(a)(6), the allegations in the adversary complaint are not sufficient to warrant a nondischargeability judgment in the amount sought. § 523(a)(6) excepts from discharge debts resulting from willful and malicious injury by a debtor to another entity and states in relevant part, "for willful and malicious injury by the debtor to another entity or to the property of another entity..." To prevail under this section a party must prove three elements: (1) willful conduct, (2) malice, and (3) causation. The malicious injury requirement is separate from the willful injury requirement. *Carillo v. Su (In re Su)*, 290 F.3d 1140, 1146-47 (9th Cir. 2002); *Albarran v. New Form, Inc. (In re Barboza)*, 545 F.3d 702, 705 (9th Cir. 2008).

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CONT...

Hao Wang

Chapter 7

A "willful" injury is a "deliberate or intentional injury, not merely a deliberate or intentional act that leads to injury." *In re Barboza*, 545 F.3d 702, 706 (9th Cir. 2008). The defendant must intend both the act and the consequences of the act. *Kawaauhau v. Geiger*, 523 U.S. 57, 61(1998). "§ 523(a)(6)'s willful injury requirement is met only when the debtor has a subjective motive to inflict injury or when the debtor believes that injury is substantially certain to result from his own conduct." *In re Ormsby*, 591 F.3d 1199, 1206 (9th Cir. 2010) (citing *Carrillo v. Su (In re Su)*, 290 F.3d 1140, 1142 (9th Cir.2002))

"A malicious injury involves (1) a wrongful act, (2) done intentionally, (3) which necessarily causes injury, and (4) is done without just cause or excuse." *In re Ormsby*, 591 F.3d 1199, 1207 (9th Cir. 2010).

Neither simple nor intentional breach of contract is the type of injury intended to be covered by § 523(a)(6). *In re Jercich*, 238 F.3d 1202, 1205 (9th Cir. 2001) (noting intentional breach of contract must be accompanied by tortious conduct that results in a willful and malicious injury).

While Plaintiff alleges and provides evidence of damage to the property she leased to Defendant, Plaintiff does not provide evidence that Defendant deliberately damaged her property, rather than merely performing acts that resulted in damage to her property. In short, even if the Court accepts the allegations in the Complaint and the statements in Plaintiff's declaration as true, Plaintiff has not alleged or provided evidence that Defendant acted with the requisite intent to establish the debt is nondischargeable under § 523 (a)(6).

Conclusion

As set forth in detail above, Plaintiff is entitled to default judgment under § 523(a) (4) in the amount of \$150,000, but is not entitled to judgment as to the other claims in the Complaint. However, because Plaintiff is not entitled to default judgment on all claims in the Complaint at this time, the Court cannot and will not enter piecemeal judgments. Therefore, the Motion is DENIED. Plaintiff may file an amended Complaint or a second motion for default judgment providing

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CONT... **Hao Wang**
additional evidence.

Chapter 7

Appearances required.

Party Information

Debtor(s):

Hao Wang

Represented By
Sam X J Wu

Defendant(s):

Hao Wang

Pro Se

Plaintiff(s):

Tingting Shao

Represented By
Meei-Ling Chen

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 126

1:30 PM

6:18-16626 Judy Zhuang

Chapter 7

Adv#: 6:18-01217 Liao v. Zhuang

#19.00

STATUS CONFERENCE re Complaint to determine non-dischargeability of debt; (1) False Pretenses, False Representations, or Actual Fraud; (2) Willful and Malicious Injury and (3) Non-Dischargeability of Debt

EH ____

(Cont. from 1/23/19)

Docket 1

Tentative Ruling:

Tentative for 2/06/19 is to set the following dates/deadlines:

1. Discovery cutoff: March 15, 2019 Note: this date includes the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: April 30, 2019. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
4. Pretrial conference: May 15, 2019 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of sanctions, including the striking of the answer and dismissal of the complaint.

Party Information

Debtor(s):

Judy Zhuang

Represented By
Todd L Turoci

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CONT... Judy Zhuang

Chapter 7

Defendant(s):

Judy Zhuang

Pro Se

Plaintiff(s):

Chih Ling Liao

Represented By
Sam X J Wu

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 126

1:30 PM

6:18-16626 Judy Zhuang

Chapter 7

Adv#: 6:18-01217 Liao v. Zhuang

#20.00

Hrg. on Order to Show Cause why Counsel Should not be Sanctioned

EH_____

(Cont. from 1/23/19)

Docket 0

Tentative Ruling:

Tentative for 2/06/19:

Appearances required.

Party Information

Debtor(s):

Judy Zhuang

Represented By
Todd L Turoci

Defendant(s):

Judy Zhuang

Pro Se

Plaintiff(s):

Chih Ling Liao

Represented By
Sam X J Wu

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
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Wednesday, February 6, 2019

Hearing Room 5C

11:00 AM

8:17-11085 Suzon Hashemi

Chapter 7

Adv#: 8:17-01110 Hashemi v. U.S. Department of Education et al

#9.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: First Amended Complaint For:
Determination That Student Loan Debt Is Dischargeable Pursuant To 11 U.S.C.
Section 523(a)(8)

(Complaint filed 6/27/17) (Another Summons issued 7/14/17)

(PTC set at S/C held 10/18/17)

(S/C set per Order Entered 5-30-18)

(J.P. Morgan Chase Bank, N.A. - Dismissed - See docket no. [14])

**(Judgment Pursuant To Stipulation - U.S. Department of Education - See
docket No. [34])**

[Navient Solutions, LLC - Dismissed - See docket no. [102]

FR: 3-14-18; 5-30-18; 7-18-19

Docket 48

***** VACATED *** REASON: OFF CALENDAR - ORDER VACATING
PRE-TRIAL HEARING ENTERED 1-25-19 - (Docket No. [105])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Suzon Hashemi

Represented By
Christine A Kingston

Defendant(s):

U.S. Department of Education

Represented By
Elan S Levey

PNC Bank, N.A.

Pro Se

Deutsche Bank ELT Navient & SLM

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
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Wednesday, February 6, 2019

Hearing Room 5C

11:00 AM

CONT... Suzon Hashemi

Chapter 7

Plaintiff(s):

Suzon Hashemi

Represented By
Christine A Kingston

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Wednesday, February 6, 2019

Hearing Room 5C

11:00 AM

8:17-11085 Suzon Hashemi

Chapter 7

Adv#: 8:17-01110 Hashemi v. U.S. Department of Education et al

#10.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For:
Determination That Student Loan Debt Is Dischargeable Pursuant To 11 U.S.C.
Section 523(a)(8)

(Complaint filed 6/27/17) (Another Summons issued 7/14/17)

(PTC set at S/C held 10/18/17)

(S/C set per Order Entered 5-30-18)

(J.P. Morgan Chase Bank, N.A. - Dismissed - See docket no. [14])

**(Judgment Pursuant To Stipulation - U.S. Department of Education - See
docket No. [34])**

FR: 3-14-18; 5-30-18; 7-18-18

Docket 48

***** VACATED *** REASON: CONTINUED TO APRIL 3, 2019 AT 11:00
A.M. PER ORDER CONTINUING STATUS CONFERENCE ENTERED 1-
25-19 - (Docket No. [105])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Suzon Hashemi

Represented By
Christine A Kingston

Defendant(s):

U.S. Department of Education

Represented By
Elan S Levey

PNC Bank, N.A.

Pro Se

Deutsche Bank ELT Navient & SLM

Pro Se

**United States Bankruptcy Court
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11:00 AM

CONT... Suzon Hashemi

Chapter 7

Plaintiff(s):

Suzon Hashemi

Represented By
Christine A Kingston

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
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Wednesday, February 6, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

#11.00

Hearing RE: Motion For Approval Of Chapter 7 Trustee's Sale And Settlement Agreement With V&G Associates, COV, Inc. And Luminance Yuba, LLC, Pursuant To 11 U.S.C. Sections 363(b) And 105, And Rules 2002, 6004, And 9019 Of The Federal Rule Of Bankruptcy Procedure (Motion filed 1/16/19)

Docket 355

Tentative Ruling:

Updated Tentative for 2/06/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
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Wednesday, February 6, 2019

Hearing Room 5C

11:00 AM

8:18-13285 **Wiebke Bultmann**

Chapter 7

#12.00

Hearing RE: Chapter 7 Trustee's Motion For Order: (1) Authorizing The Trustee To Sell Real Property (21872 Calabaza, Mission Viejo, California) Pursuant To 11 U.S.C. Section 363(b); (2) Approving Overbid Procedures; (3) Approving Compensation Of Real Estate Broker; (4) Authorizing Distribution Of Sale Proceeds; And (5) Waiving 14 Day Stay Imposed By Federal Rules Of Bankruptcy Procedure 6004(h)
(Motion filed 1/11/19)

Docket 55

Tentative Ruling:

Tentative for 2/6/19:

The Court is inclined to approve the Motion; however, the Court is concerned that the requirement that overbids be all cash may chill bidding and unnecessarily limit otherwise qualified bids. The Trustee should be prepared to present evidence that either (1) he has entertained bids with financing equivalent to an all cash bid or (2) that the requirement for all cash bids has not chilled the bidding.

As to the conditional non-opposition filed by creditor WFB on January 18, 2019 [Dk. 64], the Court will approve the Motion with only the requested modifications that the Trustee agreed to in his reply filed January 25, 2019 [Dk. 67] ("Reply"), for the reasons set forth in the Reply.

Appearances required.

Party Information

Debtor(s):

Wiebke Bultmann

Represented By
Michael N Nicaastro

Trustee(s):

Thomas H Casey (TR)

Represented By

**United States Bankruptcy Court
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Wednesday, February 6, 2019

Hearing Room 5C

11:00 AM

CONT...

Wiebke Bultmann

Karen S. Naylor

Chapter 7

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Thursday, February 7, 2019

Hearing Room

5C

10:00 AM

8:18-12384 Eric Abraham Sandoval

Chapter 7

#1.00

Motion for relief from stay [Real Property]

CitiMortgage, Inc. vs. DEBTOR
(Motion filed 1/4/19)

[RE: 2158 San Michel Drive West C, Costa Mesa, California 92627]

Docket 43

***** VACATED *** REASON: OFF CALENDAR - VOLUNTARY
DISMISSAL OF MOTION FILED 2-5-19 - (Docket No. [49])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eric Abraham Sandoval

Represented By
Donald A Green

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
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Thursday, February 7, 2019

Hearing Room

5C

10:00 AM

8:18-13371 Johana Sanchez and Luis Perez

Chapter 7

#2.00

RESCHEDULED Motion for relief from stay [Personal Property]

Fifth Third Bank vs. DEBTORS

(Motion filed 9/25/18)

(Rescheduled after Dismissal Vacated 1/7/19)

[RE: 2013 Honda Crosstour - VIN No.: 5J6TF3H37DL004962]

FR: 10/25/18)

Docket 16

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Johana Sanchez

Represented By
Bryn C Deb

Joint Debtor(s):

Luis Perez

Represented By
Bryn C Deb

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
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Thursday, February 7, 2019

Hearing Room 5C

10:00 AM

CONT... Johana Sanchez and Luis Perez

Chapter 7

**United States Bankruptcy Court
Central District of California
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Thursday, February 7, 2019

Hearing Room 5C

10:00 AM

8:18-13739 Robert Martin Biller, Jr. and Tia Linda Biller

Chapter 7

#3.00

Motion for relief from stay [Personal Property]

Porsche Leasing LTD And Porsche Financial Services, Inc. vs. DEBTORS
(Motion filed 1/8/19)

[RE: 2017 Porsche Macan GTS - VIN No.: WP1AG2A51HLB54408]

Docket 16

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Robert Martin Biller Jr.

Represented By
Leslie K Kaufman

Joint Debtor(s):

Tia Linda Biller

Represented By
Leslie K Kaufman

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
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Thursday, February 7, 2019

Hearing Room 5C

10:00 AM

8:19-10004 Rodrigo Gallardo Martin

Chapter 7

#4.00

Motion for relief from stay [Unlawful Detainer]

Sy & YM, LLC vs. DEBTOR
(Motion filed 1/16/19)

[RE: 406 W. Washington Avenue, Apartment No. 2, Santa Ana, CA 92706]

Docket 10

Tentative Ruling:

Tentative for 2/7/19 is to DENY for lack of evidence.

The motion and attached declaration have significant evidentiary defects which prevent the granting of the Motion:

1. Although Declarant indicates that he is Movant's attorney (¶1(d)), he does not provide foundation for his knowledge of the facts (¶2).
2. Declarant lists movant as the legal owner of the Property, but does not attach any evidence of ownership directly to the Motion (¶4). Although a lease is attached to the UD Complaint that is attached to the Motion, the UD Complaint is only verified by e-signature.
3. The Motion does not provide any information regarding monthly rent or other obligations Debtor has failed to pay (¶6).
4. While Debtor's address is the same as the one listed on the 60-Day Notice to Terminate Tenancy and the UD Complaint, Debtor is not listed as a defendant in the UD Action, nor has any evidence been provided that Debtor has been substituted in as a Doe. Debtor also is not listed on the unexecuted lease attached to the UD Action.

Accordingly, Movant has not provided sufficient evidence that it is entitled to the relief requested.

Appearances required.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
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Courtroom 5C Calendar**

Thursday, February 7, 2019

Hearing Room 5C

10:00 AM

CONT... Rodrigo Gallardo Martin

Chapter 7

Debtor(s):

Rodrigo Gallardo Martin

Represented By
Randy Alexander

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 7, 2019

Hearing Room 5C

10:00 AM

8:19-10053 Michael John Beresford and Allison Beresford

Chapter 7

#5.00

Hearing RE: Motion In Individual Case For Order Imposing A Stay Or Continuing The Automatic Stay As The Court Deems Appropriate (Motion filed 1/16/19)

Docket 28

***** VACATED *** REASON: ADVANCED TO JANUARY 24, 2019 AT 10:00 A.M. PER ORDER SHORTENING TIME ENTERED 1-71-19 - (DOCKET NO. [33])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael John Beresford

Represented By
Keith R Wood

Joint Debtor(s):

Allison Beresford

Represented By
Keith R Wood

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 7, 2019

Hearing Room 5C

10:00 AM

8:18-13068 Javanshir Khazali

Chapter 7

#5.10

Motion for Relief from Stay [Action In NonBankruptcy Forum]

Camellia Lame Khazali vs. DEBTOR
(Motion filed 1/17/19)

**[RE: Case Name: Javanshir Khazali v. Camellia Khazali]
[Docket Number: 17D009077]
[Pending In: Superior Court Of California, County Of Orange, Lamoureux
Division]**

Docket 37

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Javanshir Khazali

Represented By
Richard G Heston

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 7, 2019

Hearing Room 5C

11:00 AM

8:15-10721 American Spectrum Realty Inc., a Maryland Corporat

Chapter 11

#6.00

Hearing RE: Motion For Order Disallowing Claim:
(Motion filed 12/27/18)

Claim No. 173 Store It REIT, Inc. \$ Amount To Be Determined

Docket 1751

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
STIPULATION ENTERED 1-7-19 - (Docket No. [1758])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

American Spectrum Realty Inc., a

Represented By
Robert E Opera
Peter W Lianides
Andrew B Levin

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 7, 2019

Hearing Room

5C

11:00 AM

8:17-12753 David Vincent Ross and Cheri LeAnn Ross

Chapter 11

#7.00

Hearing RE: Motion For Order To Reinstate Wilco Life Insurance Company
(Formerly Conseco Life Insurance Company) Policy Pursuant to Debtors'
Confirmed Chapter 11 Plan
(Motion filed 12/28/18)

Docket 198

***** VACATED *** REASON: CONTINUED TO MARCH 21, 2019 AT
11:00 A.M. PER JOINT STIPULATION TO CONTINUE HEARING AND
ORDER ENTERED 2-4-19 (DOCKET NO. [206])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Vincent Ross

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Cheri LeAnn Ross

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 7, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#8.00

CONT'D Hearing RE: Approval Of First Amended Disclosure Statement Describing First Amended Joint Chapter 11 Plan Of Liquidation Of WJA Real Estate Opportunity Fund II, LLC And CA Real Estate Opportunity Fund II, LLC (D.S. filed 12/13/18) (First Amended D.S. filed 1/18/19)

FR: 1-24-19

Docket 771

Tentative Ruling:

Tentative for 2/07/19:

This matter was continued by 2 weeks to allow the United States Trustee and any other interested parties time to review the First Amended Disclosure Statement. As of the posting of this tentative, no objection has been filed.

Appearances required.

Tentative for 1/24/19 is to APPROVE.

Appearances required.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Sefflin
Steven T Gubner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 7, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 7, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#9.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 11/5/18)

FR: 12-20-18; 1-24-19

Docket 0

Tentative Ruling:

Tentative for 2/07/19 is to set a continued status conference on April 18, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Debtor is also instructed to lodge a scheduling order setting forth the dates and deadlines established at the 1/24/19 status conference.

Tentative for 1/24/19 is to set the following dates/deadlines:

1. Deadline for filing a plan and disclosure statement: March 5, 2019. See Status Report filed 12/6/18 [Dk. 60], pg. 9:15-18. Note: the failure to timely file a plan and disclosure statement may result in the conversion or dismissal of the case.
2. Claims Bar Date: March 29, 2019 with notice to be served by January 28, 2019.
3. Continued status conference: April 18, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Tentative for 12/20/18:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 7, 2019

Hearing Room

5C

11:00 AM

CONT... Kendall Frozen Fruits, Inc.

Chapter 11

The Court has received and reviewed the status report filed on December 6, 2018 [Dk. 60]. The Status Conference is CONTINUED to January 24, 2019 at 11:00 a.m. Debtor is to submit a supplemental status report, updating the report submitted for the December 20, 2018 status conference, by no later than 14 days in advance of the January 24, 2019 hearing.

Appearances are excused.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 7, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#10.00

CONT'D Hearing RE: Debtor's Application For Order Authorizing Employment Of Channel Marketing Resources, Inc. as Financial Advisor (Motion filed 12/4/18) (Set per Order Entered 1/10/19)

FR: 1-24-19

Docket 56

Tentative Ruling:

Tentative for 2/07/19:

The Court has reviewed the Limited Objection filed by UST on 1/31/19 [Dk. 100] and the Second Supplement filed by Debtor on 2/1/19 [Dk. 104]. The Court would like to hear from the UST regarding whether the Second Supplement sufficiently addresses the concerns expressed by this Court at the last hearing and in the Limited Objection.

Appearances required.

Tentative for 1/24/19:

On January 23, 2019, as Dk. No. 3 in Misc. No. 1:19-mp-00101-MT, the Court entered a district-wide order that grants the United States and its Departments and agencies, including the Office of the United States Trustee ("UST"), an extension of time to file various pleadings until after the conclusion of the ongoing government shutdown. The parties should review this order carefully prior to the hearing. At the hearing, the Court will inquire of the UST whether they wish to avail themselves of this extension. If the UST is unable to attend the hearing, the Court will continue this matter pending

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 7, 2019

Hearing Room 5C

11:00 AM

CONT... Kendall Frozen Fruits, Inc.

Chapter 11

conclusion of the shutdown and expiration of the UST's extension.

Appearances required.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

10:00 AM

6:16-19793 Emanuel V Katsaros and Wendy L Katsaros

Chapter 7

#1.00

Hemar, Roussio & Heald, LLP - movant attorney

Motion for Relief from Stay

Wells Fargo Bank vs. DEBTORS
(Motion filed 1/24/19)

Re: 139 North Citrus Avenue, Covina, CA 91723

EH_____

Docket 31

Tentative Ruling:

Tentative for 2/19/19 is to DENY:

Appearances required.

Party Information

Debtor(s):

Emanuel V Katsaros

Represented By
Stephen R Wade

Joint Debtor(s):

Wendy L Katsaros

Represented By
Stephen R Wade

Trustee(s):

Robert Whitmore (TR)

Represented By
Hydee J Riggs

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

10:00 AM

6:18-20475 Shannon O Hoole and Michelle L Hoole

Chapter 7

#2.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA, Inc. vs. DEBTORS, Todd A. Frealy, trustee
(Motion filed 1/17/19)

Re: 2015 Volkswagen Passat, VIN: 1VWAT7A39FC086541

EH_____

Docket 17

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Shannon O Hoole

Represented By
Patricia M Ashcraft

Joint Debtor(s):

Michelle L Hoole

Represented By
Patricia M Ashcraft

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

10:00 AM

CONT... Shannon O Hoole and Michelle L Hoole

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

10:00 AM

6:18-20728 Lovett Enterprises, Inc.

Chapter 7

#3.00

The Green Law Group, LLP - movant attorney

Motion for Relief from Stay

Ventura County Credit Union vs. DEBTOR
(Motion filed 1/28/19)

Re: All inventory, chattel paper, accounts, instruments, equipment, fixtures,
furniture, general intangibles, and leasehold improvements

EH _____

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver. The requests for extraordinary relief (§§8-10) are denied as Movant has not demonstrated that such relief is warranted.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Lovett Enterprises, Inc.

Represented By
Vikrant Chaudhry

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

10:00 AM

6:18-20753 Joe A Tarango

Chapter 7

#4.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA, Inc. vs. DEBTOR, Robert Whitmore, trustee
(Motion filed 1/21/19)

Re: 2018 Jeep Grand Cherokee, VIN: 1C4RJEAG2JC311636

EH_____

Docket 16

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Joe A Tarango

Represented By
Christopher Hewitt

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

10:00 AM

6:19-10174 Joselin Brenda Covarrubias-Ramirez

Chapter 7

#5.00

Law Offices of Vincent V. Frounjian, P.C. - movant attorney

Motion for Relief from Stay

Honda Lease Trust vs. DEBTOR, Lynda T. Bui, chapter 7 trustee
(Motion filed 1/21/19)

Re: 2018 HONDA CIVIC, VIN: 2HGF C2F5 3JH5 58598

EH_____

Docket 7

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Joselin Brenda Covarrubias-Ramirez

Represented By
Robert W Ripley

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

10:00 AM

6:19-10179 Hector M Araiza, Jr.

Chapter 7

#6.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

TD Auto Finance LLC vs. DEBTOR, Karl T. Anderson, chapter 7 trustee
(Motion filed 1/25/19)

Re: 2017 Land Rover Range Rover, VIN: SALWV2FV8HA151127

EH_____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Hector M Araiza Jr.

Represented By
W. Derek May

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

11:00 AM

6:18-18200 John Obrien and Tracy Obrien

Chapter 7

#8.00

Hrg. on chapter 7 trustee's Motion filed 1/22/19, for extension of time to file a complaint objecting to discharge

EH_____

Docket 36

Tentative Ruling:

Tentative for 2/19/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

John Obrien

Represented By
Christopher J Murtagh

Joint Debtor(s):

Tracy Obrien

Represented By
Christopher J Murtagh

Trustee(s):

Todd A. Frealy (TR)

Represented By
Christopher J Murtagh

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

11:00 AM

6:18-18558 Rhonda Gaye Hood and Joe Earl Hood

Chapter 7

#9.00

Hrg. on Debtors' motion filed 1/22/19 to Appoint Rhonda Hood as Next Friend

EH_____

Docket 24

Tentative Ruling:

Tentative for 2/19/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Rhonda Gaye Hood	Pro Se
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Joint Debtor(s):

Joe Earl Hood	Pro Se
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Trustee(s):

Howard B Grobstein (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

11:00 AM

6:18-19039 Paramjit Singh

Chapter 7

#10.00

Hrg. on chapter 7 trustee's Motion filed 1/23/19 for extension of time to file a complaint objecting to discharge

EH_____

Docket 32

Tentative Ruling:

Tentative for 2/19/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days

Party Information

Debtor(s):

Paramjit Singh

Represented By
Robert J Spitz

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

11:00 AM

6:19-10149 Gorilla Islands, LLC

Chapter 7

#11.00

Hrg. on Motion filed 1/22/19 For Order Extending Time To File Schedules Of Assets And Liabilities And Statement Of Financial Affairs And Related Materials

EH_____

Docket 7

Tentative Ruling:

Tentative for 2/19/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Gorilla Islands, LLC

Represented By
Bruce A Boice

Trustee(s):

Howard B Grobstein (TR)

Represented By
Christopher K.S. Wong
M Douglas Flahaut

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

11:00 AM

6:18-10782 Lesa Dianne Beeler

Chapter 7

#11.10

Hrg. on chapter 7 trustee's Motion filed 1/31/19 Objecting To Debtors Claim Of Exemption In Lockheed Martin Stock Pursuant To CCP § 704.115

EH_____

Docket 26

***** VACATED *** REASON: Renotice for 3/5/19 @ 11:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lesa Dianne Beeler

Represented By
Linda Roberts-Ross

Trustee(s):

Karl T Anderson (TR)

Represented By
Robert P Goe
Thomas J Eastmond

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

11:00 AM

6:18-18808 Peter Aaron Likins

Chapter 7

#11.20

Hrg. on Debtor's Motion filed 1/11/19 to vacate dismissal

EH_____

(Cont. from 2/5/19)

Docket 13

Tentative Ruling:

Tentative for 2/19/19 is to DENY:

This matter was continued from 2/5/19 to allow Debtor to file additional documents, as set forth in the below tentative. As of the posting of this tentative, no additional documents have been filed.

Appearances required.

Tentative for 2/5/19:

This matter is CONTINUED to February 19, 2019 at 11:00 a.m. to allow Debtor to file additional documents by no later than February 15, 2019 at noon, as set forth below.

1. Debtor must complete, sign and file another Declaration by Debtor as to Whether Income Was Received From an Employer Within 60 Days (Form 1002.1Emp.Income.Dec). While Debtor previously filed this form on October 29, 2018 [Dk. 8], Debtor did not properly complete it by checking one of the boxes, as required. This failure was the basis for the dismissal of Debtor's case.

2. Debtor, or Debtor's counsel, if appropriate, must submit a declaration in support of the motion.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

11:00 AM

CONT... Peter Aaron Likins

Chapter 7

If the above documents are filed by no later than noon on February 15, 2019, the Court will GRANT the Motion and excuse appearances at the continued hearing.

No hearing will occur on February 5, 2019.

Party Information

Debtor(s):

Peter Aaron Likins

Represented By
Owen Mascott

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

1:30 PM

6:17-15979 Shawn Maceo Rife and Shayne Morgan Rife

Chapter 11

#12.00

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTORS
(Motion filed 1/17/19)

Re: 2015 Lexus GS350

Docket 119

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Shawn Maceo Rife

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Shayne Morgan Rife

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#13.00

Hrg. on Chapter 11 Status Conference

EH_____

(Cont. from 10/2/18)

Docket 1

Tentative Ruling:

Tentative for 2/19/19:

This matter is CONTINUED to April 16, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 10/02/18 is to set the following dates/deadlines:

1. Deadline to file a Plan and Disclosure Statement: January 31, 2019. The failure to timely file a plan and disclosure statement may result in the dismissal or conversion of the case.

2. Continued Status Conference: February 19, 2019 at 1:30 p.m.

Debtor is to submit a scheduling order within seven days.

Appearances required.

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#14.00

Hrg. on Debtor's Motion filed 11/14/18 to Value Two Adjacent Parcels of Commercial Real Property Located at 333 and 305 S. Waterman Avenue, San Bernardino, California, 92408, extinguish second and third liens; or in the alternative modify second liens

EH_____

(Cont from 1/22/19)

Docket 47

Tentative Ruling:

Tentative for 2/19/19:

Appearances required in Courtroom 5C, 411 West Fourth Street, Santa Ana, CA 92701.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, February 19, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#15.00

Hrg. on Chapter 11 Status Conference

EH_____

Docket 1

Tentative Ruling:

Tentative for 2/19/19 is to CONTINUE to April 16, 2019 at 1:30 p.m. to coincide with the hearing on the adequacy of the disclosure statement.

Tentative for 10/09/18 is to set the following dates/deadlines:

1. Deadline to file a plan and disclosure statement: January 31, 2019. The failure to timely file a plan and disclosure statement may result in the dismissal or conversion of the case.

2. Continued status conference: February 19, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances required.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Tuesday, February 19, 2019

Hearing Room 5C

11:00 AM

6:17-18331 Holly Mae Schlendering

Chapter 7

#7.00

Hrg. on Order to Show Cause why J. Scott Bennett should not be held in Contempt of Court pursuant to 11 U.S.C. Section 105 and Federal Rule of Bankruptcy Procedures 9020

EH ____

(Cont. from 1/8/19)

Docket 1

***** VACATED *** REASON: Order entered 2/12/19 Vacting Order to Show Cause- jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Holly Mae Schlendering

Represented By
J Scott Bennett

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 20, 2019

Hearing Room 126

1:30 PM

6:17-17601 Deborah McKay

Chapter 7

Adv#: 6:18-01056 Whitmore v. McKay V et al

#3.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against Alexander H. McKay V, Alexander H. McKay V as Trustee of the Alexander McKay V Living Trust. (Charge To Estate). (1) Determine that Property is Property of the Bankruptcy Estate; (2) Avoidance of Avoidable Transactions; and (3) To Recover Avoided Transactions Nature of Suit: (14 (Recovery of money/property - other)),(91 (Declaratory judgment))

(Cont. from 11/7/18)

EH_____

Docket 1

*** VACATED *** REASON: Cont. to 2/27/19 @ 1:30 p.m. - jc

Party Information

Debtor(s):

Deborah McKay

Represented By
Natalie A Alvarado

Defendant(s):

Alexander H. McKay V

Pro Se

Alexander H. McKay V as Trustee

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Franklin C Adams

Trustee(s):

Robert Whitmore (TR)

Represented By
Franklin C Adams

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, February 20, 2019

Hearing Room 5C

11:00 AM

8:17-12887 Dana Kim Shelton

Chapter 7

Adv#: 8:18-01006 Richard A. Marshack, Chapter 7 Trustee, v. Larson et al

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Status Of Appeal RE:
Complaint:

(1) To Determine The Validity, Priority, And Extent Of Liens;

(2) Objecting To Daniel Keith Larson And Erin Ellen Larson [Claim No. 3] Filed
On December 21, 2017;

(3) To Surcharge Lienholders For The Expenses Necessary To Preserve
Collateral Securing Their Claims; And

(4) Damages For Violations Of Section 807 Of The FDCPA, 15 U.S.C. Section
1692e

[STATUS CONFERENCE AS TO PETER KOTE ONLY]

(Complaint filed 1/9/18) (PTC set at S/C held 3/8/18)

(S/C set per Order Entered 10-9-18)

FR: Advanced from 4-18-18; 9-19-18; 12-5-18

Docket 1

***** VACATED *** REASON: CONTINUED TO FEBRUARY 27, 2019 AT
11:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE RE
APPEAL AS TO PETER KOTE ENTERED 11-15-18 - (Docket No. [55])**

Party Information

Debtor(s):

Dana Kim Shelton

Represented By

Christopher P Walker

Defendant(s):

Daniel Keith Larson

Pro Se

Erin Ellen Larson

Pro Se

Peter Kote

Pro Se

BANK OF AMERICA, N.A

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, February 20, 2019

Hearing Room 5C

11:00 AM

CONT... Dana Kim Shelton

Chapter 7

Plaintiff(s):

Richard A. Marshack, Chapter 7

Represented By
Misty A Perry Isaacson

Trustee(s):

Richard A Marshack (TR)

Represented By
Misty A Perry Isaacson

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, February 20, 2019

Hearing Room 5C

11:00 AM

8:17-12887 Dana Kim Shelton

Chapter 7

Adv#: 8:18-01006 Richard A. Marshack, Chapter 7 Trustee, v. Larson et al

#2.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint As To Defendant Bank Of America

(1) To Determine The Validity, Priority, And Extent Of Liens;

(2) Objecting To Daniel Keith Larson And Erin Ellen Larson [Claim No. 3] Filed On December 21, 2017;

(3) To Surcharge Lienholders For The Expenses Necessary To Preserve Collateral Securing Their Claims; And

(4) Damages For Violations Of Section 807 Of The FDCPA, 15 U.S.C. Section 1692e

[PRE-TRIAL AS TO DEFENDANT BANK OF AMERICA ONLY]

(Complaint filed 1/9/18) (PTC set at S/C held 3/8/18)

FR: Advanced from 4-18-18; 9-19-18; 12-5-18

Docket 1

***** VACATED *** REASON: CONTINUED TO FEBRUARY 27, 2019 AT 11:00 A.M. PER ORDER CONTINUING (1) PRE-TRIAL AS TO BANK OF AMERICA ENTERED 11-15-18 - (Docket No. [55])**

Party Information

Debtor(s):

Dana Kim Shelton

Represented By

Christopher P Walker

Defendant(s):

Daniel Keith Larson

Pro Se

Erin Ellen Larson

Pro Se

Peter Kote

Pro Se

BANK OF AMERICA, N.A

Pro Se

Plaintiff(s):

Richard A. Marshack, Chapter 7

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, February 20, 2019

Hearing Room 5C

11:00 AM

CONT... Dana Kim Shelton

Misty A Perry Isaacson

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
Misty A Perry Isaacson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, February 21, 2019

Hearing Room 126

10:00 AM

6:17-15749 Foster Enterprises, a California general partnersh

Chapter 7

#0.01

Hrg. on Chapter 7 Trustee's Motion filed 2/13/19 for Order Authorizing Abandonment of the Estate's Interest in Certain Real Property Located at 13610 South Archibald Avenue, Ontario, California

(OST signed 2/13/19)

EH_____

[Tele. appr., Greg K. Jones, repr., Foster Enterprises]

[Tele. appr., Dean G. Rallis, Jr., repr. Dean G. Rallis, Jr.]

[Tele. appr., Jolene Tanner, repr., United States of America]

Docket 413

Tentative Ruling:

Tentative for 2/21/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Foster Enterprises, a California

Represented By
Dean G Rallis Jr
Matthew D Pham
Gregory K Jones

Trustee(s):

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, February 21, 2019

Hearing Room 126

10:00 AM

CONT... Foster Enterprises, a California general partnersh
John P Pringle (TR) Represented By
Toan B Chung

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 21, 2019

Hearing Room 5C

11:00 AM

8:16-12463 Marzieh Bagheri-Tari

Chapter 11

#1.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Don Bailey An Individual dba DB Investments vs. DEBTOR
(Motion filed 1/22/19)

**[RE: Case Name: Bagheritari v. 3033 Bristol, LLC et. al. And Related
Cross Complaint]**

[Docket Number: 30-2014-00717365-CU-BC-CJC]

**[Pending In: Superior Court Of California, County Of Orange, Central
Justice Center, 700 Civic Center Drive West, Santa Ana, California 92701]**

[Tele. appr., Yeznik O. Kazandjian, repr., Bagheri-Tari]

Docket 173

Tentative Ruling:

Tentative for 2/21/19 is to GRANT.

Note: This matter appears to be uncontested. See Debtor's Non-Opposition filed 2/15/19 [Dk. 181]. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Marzieh Bagheri-Tari

Represented By
Yeznik O Kazandjian

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 21, 2019

Hearing Room

5C

11:00 AM

8:16-15064 Charles Flowers Harrison and Martha Isabel Montoya

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 12/1416)

FR: 2-2-17; 5-11-17; 12-14-17; 4-19-18; 5-3-18;10-18-18; 10-25-18

Docket 1

Tentative Ruling:

Tentative for 2/21/19:

None listed.

Tentative for 10/25/18:

The Court is inclined to set the following dates/deadlines:

1. Deadline for filing an amended disclosure statement and plan: December 31, 2018, with a hearing on the adequacy of the amended disclosure statement to take place on February 21, 2019 at 11:00 a.m.
2. A continued status conference: February 21, 2019 at 11:00 a.m.

Appearances required.

Tentative for 5/03/18 is to set a CONTINUED date of October 18, 2018 at 11:00 a.m., with a status report is due 14 days in advance.

Appearances required.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 21, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison and Martha Isabel Montoya

Chapter 11

Tentative for 12/14/17:

The Court has received and reviewed the Status Report filed by Debtor on 11/30/17 [Dk. 140] and by Creditor Axis CP I, LLC on 11/30/17 [Dk. 141] and will CONTINUE this matter to April 19, 2018 at 11:00 a.m. A status report is due 14 days in advance.

Appearances for the 12/14/17 hearing are excused.

Tentative for 5/11/17:

The Court will CONTINUE the status conference to coincide with the continued hearing on the Disclosure Statement, presently proposed to be July 13, 2017 at 11:00 a.m.

Tentative for 2/2/17 is to set the following dates/deadlines:

1. March 30, 2017 - deadline to file plan and disclosure statement (as requested by Debtors in their 1/23/17 Status Report [Dk. 32]). The failure to timely file a plan and/or disclosure statement may result in the dismissal or conversion of the case.
2. The Court notes that a bar date of March 20, 2017 has already been established. June 30, 2017 will be the deadline to object to claims.
3. A continued status conference will be held on May 11, 2017 at 11:00 a.m. A status report is due 14 days in advance.

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones

Joint Debtor(s):

Martha Isabel Montoya

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 21, 2019

Hearing Room 5C

11:00 AM

CONT...

**Charles Flowers Harrison and Martha Isabel Montoya
Michael Jones**

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 21, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison and Martha Isabel Montoya

Chapter 11

#3.00

Hearing RE: First Amended Disclosure Statement Describing Chapter 11 Plan
Of Reorganization
(Amended D.S. filed 12/31/18)

Docket 0

Tentative Ruling:

Tentative for 2/21/19:

Appearances required.

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones
Sara Tidd

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Thursday, February 21, 2019

Hearing Room 5C

11:00 AM

8:18-10223 James M Mullion

Chapter 11

Adv#: 8:18-01081 Suzuki Motor of America, Inc. v. Mullion et al

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debts Under 11 U.S.C. Section 523(a)(2)(A), 523(a)(4), 523(a)(6) And 524(b)(2)
(Complaint filed 5-8-18)

FR: 8-2-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING STIPULATION FOR DISMISSAL OF ADVERSARY PROCEEDING WITH PREJUDICE ENTERED 11-15-18 - (Docket No. [22])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James M Mullion

Represented By
Jeffrey B Smith

Defendant(s):

James M Mullion

Pro Se

Bonnie Mullion

Pro Se

Plaintiff(s):

Suzuki Motor of America, Inc.

Represented By
Jasmin Yang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 21, 2019

Hearing Room 5C

11:00 AM

8:18-10223 James M Mullion

Chapter 11

Adv#: 8:18-01081 Suzuki Motor of America, Inc. v. Mullion et al

#5.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debts Under 11 U.S.C. Section 523(a)(2)(A), 523(a)(4), 523(a)(6) And 524(b)(2)
(Complaint filed 5-8-18)
(PTC set at S/C held 8/2/18)
FR: 8-2-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING STIPULATION FOR DISMISSAL OF ADVERSARY PROCEEDING WITH PREJUDICE ENTERED 11-15-18 - (Docket No. [22])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James M Mullion

Represented By
Jeffrey B Smith

Defendant(s):

James M Mullion

Pro Se

Bonnie Mullion

Pro Se

Plaintiff(s):

Suzuki Motor of America, Inc.

Represented By
Jasmin Yang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, February 21, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#6.00

Hearing RE: Order To Show Cause RE: Debtor's Application To Employ
Holthouse Carlin Van Tright LLP As Outside Certified Public Accountant
(Motion filed 12-20-18)
(Set per Order To Show Cause Entered 2-6-19)

Docket 107

***** VACATED *** REASON: CONTINUED TO MARCH 5, 2019 AT
11:00 A.M. PER ORDER ENTERED 2-7-19 - (DOCKET NO. [109])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Monday, February 25, 2019

Hearing Room 126

9:00 AM

6:15-12078 Orange County Nursery, Inc.

Chapter 11

#1.00

Evidentiary hrg. on Motion of the Minority Voting Trust to convert case to a case under Chapter 7

EH _____

Docket 1078

***** VACATED *** REASON: Order entered Denying Motion to Convert
1/30/19 - jc**

Party Information

Debtor(s):

Orange County Nursery, Inc.

Represented By
David S Kupetz
Steven Werth
Elissa Miller
Arthur Gutierrez Longoria
Tamar Terzian

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Tuesday, February 26, 2019

Hearing Room 5C

9:30 AM

8:15-15521 Johnnie Rae Carlin

Chapter 7

Adv#: 8:16-01049 Citibank, N.A. v. Carlin

#1.00

CONT'D TRIAL RE: Plaintiff Citibank, N.A.'s Complaint For Determination Of Nondischargeability Of Debt Pursuant To 11 U.S.C. Section 523(A)(2)(A) (Complaint filed 2/19/16)
(PTC set at S/C held 5/11/16)
(Trial set at PTC held 10/4/17)

FR: 5-11-16; 10-19-16; 12-14-16; 4-19-17; 7-12-17; 8-13-17; 10-4-17; 1-29-18; 4-24-18; 9-25-18

Docket 1

Party Information

Debtor(s):

Johnnie Rae Carlin

Represented By
Steven A Alpert

Defendant(s):

Johnnie Rae Carlin

Represented By
David Brian Lally

Plaintiff(s):

Citibank, N.A.

Represented By
Daniel H Wu

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 27, 2019

Hearing Room 126

1:30 PM

6:17-17601 Deborah McKay

Chapter 7

Adv#: 6:18-01056 Whitmore v. McKay V et al

#8.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against Alexander H. McKay V, Alexander H. McKay V as Trustee of the Alexander McKay V Living Trust. (Charge To Estate). (1) Determine that Property is Property of the Bankruptcy Estate; (2) Avoidance of Avoidable Transactions; and (3) To Recover Avoided Transactions Nature of Suit: (14 (Recovery of money/property - other)),(91 (Declaratory judgment))

(Cont. from 2/20/19)

EH_____

Docket 1

*** VACATED *** REASON: Cont. to 5/1/19 @ 1:30 p.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Deborah McKay

Represented By
Natalie A Alvarado

Defendant(s):

Alexander H. McKay V

Pro Se

Alexander H. McKay V as Trustee

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Franklin C Adams

Trustee(s):

Robert Whitmore (TR)

Represented By
Franklin C Adams

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 27, 2019

Hearing Room 126

1:30 PM

CONT...

Deborah McKay

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 27, 2019

Hearing Room 126

1:30 PM

6:18-14917 Hao Wang

Chapter 7

Adv#: 6:18-01177 Shao v. Wang

#9.00

STATUS CONFERENCE re: Complaint by Tingting Shao against Hao Wang -
523(a)(2), (a)(4), and (a)(6)

EH_____

(Cont. from 11/28/18)

Docket 1

***** VACATED *** REASON: Judgment entered 2/11/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hao Wang

Represented By
Sam X J Wu

Defendant(s):

Hao Wang

Pro Se

Plaintiff(s):

Tingting Shao

Represented By
Meei-Ling Chen

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 27, 2019

Hearing Room 126

1:30 PM

6:18-17579 Mark D. Uy

Chapter 7

Adv#: 6:18-01239 Virginia Bills a deceased individual, by and throu v. Uy

#10.00

STATUS CONFERENCE re: Complaint by Virginia Bills a deceased individual, by and through her personal representatives Joyce Stablein and Danny White against Mark D. Uy - 523(a)(6)

EH _____

Docket 1

Tentative Ruling:

Tentative for 2/27/19:

Relief from stay was granted to Plaintiff by an order entered February 13, 2019 [Dk. 30] to proceed in state court. Accordingly, this matter is CONTINUED to August 14, 2019 at 1:30 p.m. A status report is due 14 days in advance. The status report must include the procedural status as to Debtor of the pending state court action. Either side may request an earlier status conference date upon written application to the Court.

Appearances are excused.

Party Information

Debtor(s):

Mark D. Uy

Represented By
Raymond Obiamalu

Defendant(s):

Mark D. Uy

Pro Se

Plaintiff(s):

Virginia Bills a deceased individual,

Represented By
Douglas A Plazak

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, February 27, 2019

Hearing Room 126

1:30 PM

CONT... Mark D. Uy

Chapter 7

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, February 27, 2019

Hearing Room 5C

10:00 AM

8:17-11114 Bradley B Mugar

Chapter 7

Adv#: 8:18-01186 Marshack v. Mugar

#0.10

Hearing RE: Motion For Default Judgment Under LBR 7055-1
(Motion filed 1/23/19)

Docket 8

***** VACATED *** REASON: OFF CALENDAR - ORDER DENYING
MOTION FOR DEFAULT JUDGMENT WITHOUT PREJUDICE
ENTERED 2-21-19 - (DOCKET NO. [12])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bradley B Mugar

Represented By
Parisa Fishback
John Edwards

Defendant(s):

Ryan Mugar

Pro Se

Joint Debtor(s):

Susan E Mugar

Represented By
Parisa Fishback
John Edwards

Plaintiff(s):

Richard A Marshack

Represented By
Michael G Spector

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael G Spector

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, February 27, 2019

Hearing Room 5C

10:00 AM

8:17-11114 Bradley B Mugar

Chapter 7

Adv#: 8:17-01108 Marshack v. Mugar et al

#1.00

Hearing RE: Motion For Summary Judgment Or, In The Alternative, For Summary Adjudication Of Issues
(Motion filed 1/16/19)

Docket 75

***** VACATED *** REASON: CONTINUED TO APRIL 3, 2019 AT 11:00
A.M. PER ORDER CONTINUED HEARINGS ENTERED 2-15-19 -
(DOCKET NO. [83])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bradley B Mugar

Represented By
Parisa Fishback
John Edwards

Defendant(s):

Bradley B Mugar

Represented By
John Edwards

Sandra Mugar

Represented By
John Edwards

Joint Debtor(s):

Susan E Mugar

Represented By
Parisa Fishback
John Edwards

Plaintiff(s):

Richard A. Marshack

Represented By
Michael G Spector

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, February 27, 2019

Hearing Room 5C

10:00 AM

CONT... Bradley B Mugar

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael G Spector

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, February 27, 2019

Hearing Room 5C

10:00 AM

8:18-13252 Manraj Singh

Chapter 7

Adv#: 8:18-01215 Saunders v. Singh

#2.00

STATUS CONFERENCE Hearing RE: Complaint For Determination That Debt
Is Non-Dischargeable Pursuant To 11 U.S.C. Section 523(a)
(Complaint filed 12/3/18)

Docket 1

Tentative Ruling:

Tentative for 2/27/19 is to DISMISS for lack of prosecution.

Party Information

Debtor(s):

Manraj Singh

Represented By
Kevin J Kunde

Defendant(s):

Manraj Singh

Pro Se

Plaintiff(s):

Cristina Saunders

Represented By
Jerrold L Bregman

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, February 27, 2019

Hearing Room 5C

10:00 AM

8:18-13145 James L Conkey

Chapter 7

Adv#: 8:18-01212 Saab et al v. Conkey

#3.00

Hearing RE: Motion To Dismiss First Amended Complaint To Determine Dischargeability Of Debt
(Motion filed 1/22/19)

Docket 11

Tentative Ruling:

Tentative for 2/27/19 is to GRANT the Motion to Dismiss with leave to amend.

Appearances required.

I. Introduction and Factual Background

On June 5, 2018, a jury in a state court action entered a verdict finding against James L. Conkey ("Defendant") and in favor of Camil Saab and Helou Saab, Inc. ("Plaintiffs") [Complaint, Adv. Dk. 7, ¶20]. The verdict included a finding that Defendant breached his fiduciary duties to Plaintiffs. *Id.* The amount of the judgment ("State Court Judgment") is \$306,283.17 [Complaint, Adv. Dk. 7, ¶22]. The enforcement of the judgment was stayed by Defendant's bankruptcy filing [Complaint, Adv. Dk. 7, ¶23].

On January 8, 2019, Plaintiffs filed an amended complaint against Defendant alleging the State Court Judgment is nondischargeable under 11 U.S.C. §§ 523(a)(2)(A), (a)(4), and (a)(6), and Defendant's discharge should be denied under § 727 [Adv. Dk.7] ("Complaint"). Specifically, Plaintiffs allege that (1) Defendant had no intention of providing the necessary legal services the parties contracted for (2) Defendant made false representations of material fact to Plaintiffs, and (3) Defendant willfully and maliciously injured the Plaintiffs. See Complaint, Adv. Dk. 7, ¶¶25, 132, 173, 28, 136, 176.

On January 22, 2019, Defendant filed the Motion to Dismiss the Complaint [Dk. No. 11] ("Motion") that is presently before the Court. The Motion seeks to

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, February 27, 2019

Hearing Room

5C

10:00 AM

CONT...

James L Conkey

Chapter 7

dismiss the Complaint under FRCP 12(b)(6). Defendant requests dismissal with prejudice.

As set forth below, the Complaint does not plead facts sufficient to support a plausible claim for relief under §§ 523(a)(2)(A), (a)(4), (a)(6), or 727.

II. Legal Analysis

A. Motion to Dismiss

FRCP 8(a) (applicable to bankruptcy pursuant to FRBP 7008) requires a plaintiff to plead each claim with sufficient specificity to "give the defendant fair notice of what the ... claim is and the grounds upon which it rests." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555, 127 S.Ct. 1955, 167 L.Ed.2d 929 (2007) (internal quotations omitted).

To survive a Rule 12(b)(6) motion to dismiss (applicable to bankruptcy through FRBP 7012(b)), the plaintiff must allege "enough facts to state a claim to relief that is plausible on its face." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). Plaintiff must provide "more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). In deciding whether the plaintiff has stated a claim upon which relief can be granted, the Court must assume that the plaintiff's allegations are true and must draw all reasonable inferences in favor of the nonmoving party, but need not accept as true "conclusory statements, statements of law, or unwarranted inferences cast as factual allegations." *Bell Atlantic Corp. Twombly*, 550 US 544, 556-557, 570 (2007); *Cholla Ready Mix, Inc. v. Civish*, 382 F.3d 969, 973 (9th Cir. 2004) (citing *Karam v. City of Burbank*, 352 F.3d 1188, 1192 (9th Cir. 2003)).

B. §523(a)(4)

§ 523(a)(4) provides an exception from discharge of a debt arising from fraud or defalcation by one acting in a fiduciary capacity, or of a debt arising from embezzlement or larceny. Under §523(a)(4), the Plaintiffs must establish

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three elements for non-dischargeability: an express or technical trust; that the debt was caused by fraud or defalcation; and that the debtor was a fiduciary to the creditor at the time the debt was created. *In re Niles*, 106 F.3d 1456, 1459 (9th Cir. 1997); *Lewis v. Scott (In re Lewis)*, 97 F.3d 1182, 1185 (9th Cir. 1996). Plaintiffs have failed to plead facts to plausibly establish that there was an express or technical trust.

1. Express Trust

The general characteristics of an express trust include each of the following: sufficient words to create a trust; a definite subject; and a certain and ascertained object. *Banks v. Gill Distribution Centers, Inc.*, 263 F.3d 862, 871 (9th Cir. 2001).

Here, the Complaint fails to plead facts sufficient to establish the existence of an express or technical trust. The Complaint states that in November, 2015 the Defendant solicited the Plaintiffs' business stating, "JLC Law Offices can help you qualify from one of your mortgage lender's pre-foreclosure workout options" [Complaint, Adv. Dk. 7 ¶7]. The Complaint alleges this resulted in the two parties entering into a Foreclosure Defense Agreement on December 12, 2015 [Complaint, Adv. Dk. 7 ¶8] and a subsequent Litigation Agreement on or about February 22, 2016 [Complaint, Adv. Dk 7 ¶15]. The Complaint maintains that the Defendant, as the attorney for the "debtors in possession in a Chapter 11 bankruptcy case" held their real property "in trust along with the Plaintiffs' retainer funds paid by Plaintiffs to [Defendant], and additional payments by Plaintiffs to [Defendant]" [Complaint, Adv. Dk. 7 ¶37]. The Complaint further alleges that "there was an express or technical trust in existence before and independently" [Complaint, Adv. Dk. 7 ¶38].

Plaintiffs' allegation that there is an express or technical trust is a mere legal conclusion, which this Court is not bound to accept as true. *Love v. United States*, 915 F.2d 1242, 1245 (9th Cir.1988); *see also, In re Dean*, 11 B.R. 542 (B.A.P. 9th Cir. 1983), *aff'd*, 687 F.2d 307 (9th Cir. 1982). Plaintiffs fail to plead any facts that would create a trust. There is no reference to trust documents or transfer of property into the trust. Plaintiffs appear to base the existence of a trust on the fact that Defendant was their attorney and

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represented them as Chapter 11 Debtors in Possession. Without additional facts or legal support for this conclusion, Plaintiffs' allegation that an express or technical trust existed is not plausible.

2. Fraud or Defalcation

Fraud

Fraud within the meaning of §523(a)(4) means actual fraud. *In re Roussos*, 251 B.R. 86, 91 (9th Cir. 2000). Allegations which sound in fraud are subject a heightened pleading standard. FRCP 9(b). "In alleging fraud or mistake, a party must state with particularity the circumstances constituting fraud or mistake." *Id.* These allegations must be "specific enough to give defendants notice of the particular misconduct which is alleged to constitute the fraud charged so that they can defend against the charge and not just deny that they have done anything wrong." *Semegen v. Weidner*, 780 F.2d 727, 731 (9th Cir.1985). To that end, the allegations must contain "an account of the time, place, and specific content of the false representations as well as the identities of the parties to the misrepresentations." *Swartz v. KPMG LLP*, 476 F.3d 756, 764 (9th Cir.2007). However, "[m]alice, intent, knowledge, and other conditions of a person's mind may be alleged generally." FRCP 9(b). A party alleging fraud must "set forth more than the neutral facts necessary to identify the transaction." *Kearns v. Ford Motor Co.*, 567 F.3d 1120 (9th Cir. 2009). "While statements of the time, place and nature of the alleged fraudulent activities are sufficient, mere conclusory allegations of fraud are insufficient." *Moore v. Kayport Package Express*, 885 F.2d 531, 540 (9th Cir. 1989).

Here, the Complaint fails to plead fraud with particularity as required by FRCP 9(b). The Complaint fails to provide any specific content of false representations. The Complaint states: "at the time of the Foreclosure Defense Agreement, [Defendant] had no intention of providing the necessary legal services" [Complaint, Adv. Dk. 7, ¶25]. The Complaint provides the date on which the two parties entered into the Foreclosure Defense Agreement—December 12, 2015 [Complaint, Adv. Dk. 7 ¶8]—thus satisfying the "when" prong. The Complaint subsequently provides numerous conclusory

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allegations of fraud [Complaint, Adv. Dk. 7, ¶¶26-34] but fails to offer any additional facts to support the contentions. These conclusory allegations of law and unwarranted inferences are given no deference. See *In re Kristal*, 464 B.R. 404 (Bankr. C.D. Cal. 2011). The Complaint alleges "the resulting legal malpractice judgment [against Defendant] is not dischargeable in bankruptcy" [Complaint, Adv. Dk. 7, ¶45], but fails to provide any additional facts to support the legal conclusion Plaintiffs propose. Significantly, there are no facts alleged from which the Court can conclude Defendant intended the alleged misrepresentation at the time it was made. Plaintiffs must allege "more than the neutral facts necessary to identify the transaction." *Kearns v. Ford Motor Co.*, 567 F.3d 1120 (9th Cir. 2009) (citing *Vess v. Ciba-Geigy Corp. USA*, 317 F.3d 1097 (9th Cir. 2003)). The Plaintiffs fail to provide the specific content of the fraud. Conclusory statements are not enough.

The Complaint alternatively alleges that the Defendant made false material representations to the Plaintiffs, with the intent of defrauding the Plaintiffs [Complaint, Adv. Dk. 7, ¶¶27-31] but does not provide the time or content of the alleged representations. Again, conclusory allegations of law and unwarranted inferences are given no deference. See *In re Kristal*, 464 B.R. 404 (Bankr. C.D. Cal. 2011).

Defalcation

Defalcation is the misappropriation of trust funds or money held in any fiduciary capacity, or the failure properly to account for such funds. *In re Lewis*, 97 F.3d at 1186 (citing Black's Law Dictionary 417 (6th ed. 1990)). In the context of §523(a)(4), "the term 'defalcation' includes innocent, as well as intentional or negligent defaults so as to reach the conduct of all fiduciaries who were short in their accounts." *In re Lewis*, 97 F.3d at 1186.

The Complaint fails to provide sufficient facts to constitute a plausible finding of defalcation. The Complaint merely alleges the Defendant "committed defalcation while acting in a fiduciary capacity" [Complaint, Adv. Dk. 7, ¶44]. Conclusory allegations of law are given no deference, and are insufficient to defeat this Motion. See *In re Kristal*, 464 B.R. 404 (Bankr. C.D. Cal. 2011).

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3. Fiduciary Duty

While federal law governs the definition of "fiduciary capacity," under the discharge exception for fiduciary fraud or defalcation, courts must look to state law to determine whether the requisite trust relationship exists. Under California law, a trust may be formed by express agreement, by statute, or by case law. *In re Lewis*, 97 F.3d at 1185. The fiduciary capacity referred to in § 523(a)(4) does not include the broad, general definition of fiduciary relationship as a relationship involving competence, trust and good faith. Rather, the relationship is one equivalent to the position occupied by the trustee of an express trust. *Ragsdale v. Haller*, 780 F.2d 794, 796 (9th Cir. 1986). Since no California statute elevates the attorney-client relationship to one of trustee-beneficiary status, § 523(a)(4) can come into play only if the defendants held the position of trustees of an express trust for the benefit of the plaintiff. The essential elements of an express trust are (1) sufficient words to create a trust; (2) a definite subject; and (3) a certain and ascertained object or res. *Banks v. Gill Distribution Centers, Inc.*, 263 F.3d 862, 870–71 (9th Cir. 2001).

Although a fiduciary duty is established, this element is not met for the foregoing reasons. The Complaint states that jury entered a verdict that included a finding that Defendant breached his fiduciary duty to Plaintiffs [Complaint, Adv. Dk. 7, ¶21]. A judgment for breach of a fiduciary duty is premised on the existence of a fiduciary duty. For purposes of this Motion, all well-pled facts in the Complaint are accepted as true, thus establishing the existence of the fiduciary relationship. *Ashcroft v. Iqbal*, 556 U.S. 662, 129 S.Ct. 1937, 1950, 173 L.Ed.2d 868 (2009). However, the fiduciary relationship referred to in §523(a)(4) is analogous to the position occupied by the trustee of an express. *Ragsdale v. Haller*, 780 F.2d at 794. Given the Complaint fails to plead the requisite facts to establish the existence of any trust, this element is not met.

C. § 523(a)(2)(A)

§ 523(a)(2)(A) "prohibits the discharge of any enforceable obligation for money, property, services, or credit, to the extent that the money, property,

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services, or credit were obtained by fraud." *Ghomeshi v. Sabban (In re Sabban)*, 600 F.3d 1219, 1222 (9th Cir. 2010). In order to establish that a debt is nondischargeable under § 523(a)(2)(A), a plaintiff must establish five elements: (1) misrepresentation, fraudulent omission, or deceptive conduct by the defendant; (2) knowledge of the falsity or deceptiveness of his statement or conduct; (3) an intent to deceive; (4) justifiable reliance by the plaintiff on the defendant's statement or conduct; and (5) damage to the plaintiff proximately caused by its reliance on the defendant's statement or conduct. *In re Wolf*, 577 B.R. 327 (Bankr. C.D. Cal. 2017); *In re Shannon* (9th Cir. BAP 2016) 553 B.R. 380, 388; *In re Sabban* (9th Cir. 2010) 600 F.3d 1219, 1222; *In re Eashai* (9th Cir. 1996) 87 F.3d 1082, 1086.

As stated previously, allegations which sound in fraud are subject a heightened pleading standard. FRCP 9(b). "In alleging fraud or mistake, a party must state with particularity the circumstances constituting fraud or mistake." *Id.* These allegations must be "specific enough to give defendants notice of the particular misconduct which is alleged to constitute the fraud charged so that they can defend against the charge and not just deny that they have done anything wrong. *Semegen v. Weidner*, 780 F.2d 727, 731 (9th Cir.1985).

Here, the Complaint is factually devoid of the elements necessary to allege fraud. The Complaint provides legal conclusions including "[Defendant] had no intention of providing the necessary legal services" [Complaint, Adv. Dk. 7, ¶132] that he was contracted for. The Plaintiffs fail to establish all five elements necessary to support this contention. For example, the Complaint states that the Defendant performed no litigation work and told the Plaintiffs in various emails that he was working on getting a loan to get their property [Complaint, Adv. Dk. 7, ¶121]. However, there are no facts indicating any fraudulent intent, nor any facts indicating that Defendant did not intend to get the Plaintiffs their loan. The Complaint further alleges that the Plaintiffs emailed the Defendant on June 8, 2016 asking for a status update and did not receive a response [Complaint, Adv. Dk. 7, ¶122]. There are no facts indicating Defendant's silence was based in fraud and not simple negligence or malpractice. While the State Court Judgment finds Defendant breached his fiduciary duty to Plaintiffs [Complaint, Adv. Dk. 7, ¶126], it does not include

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sufficient findings regarding the underlying facts and circumstances for this Court to determine the State Court Judgment was based on fraud.

In the alternative, Plaintiffs maintain the Defendant made false material representations and/or concealed or suppressed material information [Complaint, Adv. Dk. 7, ¶134-140]. However, again, the Complaint fails to provide what those material representations and information were, when they were made or omitted, and how they were relevant.

Thus, the facts pled are not sufficient to satisfy the relevant pleading requirements.

D. § 523(a)(6)

§ 523 excepts from discharge debts "for willful and malicious injury by the debtor to another entity or to the property of another entity. . ." 11 U.S.C. § 523(a)(6). A pleading invoking § 523(a)(6) must allege sufficient facts to show plausibly the injury was substantially certain to result from the defendant's conduct and facts that plausibly show this conduct was the result of malice. *In re Enríguez*, 506 B.R.114 (Bankr. E.D. Cal. 2014). While bankruptcy law governs whether a claim is non-dischargeable under §523(a)(6), the court looks to state law to determine whether an act falls within the underlying tort. *In re Bailey*, 197 F.3d 997, 1000 (9th Cir. 1999); *See also Lockerby v. Sierra*, 535 F.3d 1038, 1041 (9th Cir. 2008). A willful and malicious injury under §523(a)(6) requires proof of a "deliberate or intentional injury, not merely a deliberate or intentional act that leads to injury." *Kawaauhau v. Geiger*, 523 U.S. 57, 61 (1998). The Ninth Circuit has noted that willfulness and malice are two separate requirements that are not to be "conflated" into a single inquiry, and clarified that each alternative prong of the willfulness showing must be based on the subjective standard. *In re Su*, 290 F.3d 1140, 1143 (9th Cir. 2002). The subjective standard focuses on the debtor's state of mind and precludes application of § 523(a)(6)'s non-dischargeability provision short of the debtor's actual knowledge that harm to the creditor was substantially certain. *Id.*

The Complaint fails to provide sufficient facts to plead a § 523(a)(6) claim.

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The Complaint alleges "the resulting legal malpractice judgment is not dischargeable in bankruptcy" but fails to provide any other facts regarding the state court action and the State Court Judgment. See Complaint, Adv. Dk. 7, ¶45. The Supreme Court has held that the type of debt excluded from discharge under § 523(a)(6) "triggers in the lawyer's mind the category intentional torts, as distinguished from negligent or reckless torts." *Kawaauhau v. Geiger* 523 U.S. 57, 61-62, 118 S.Ct. 974, 977 (1998). Absent any facts indicating willful or malicious conduct underlying the existence of the debt, exception to discharge is not appropriate. Based on the foregoing analysis, the Complaint does not provide sufficient allegations to satisfy a claim under § 523(a)(6).

Willful Injury

To satisfy the willful injury requirement, Plaintiff must show either: Defendant had a subjective motive to inflict the injury or Defendant believed that injury was substantially certain to occur as a result of his conduct. *In re Su*, 290 F.3d 1140, 1143 (9th Cir. 2002).

Here, the Complaint does not plead any facts which indicate Defendant acted with a subjective motive to inflict any injury nor that Defendant believed the injury was substantially certain to occur. The Complaint provides legal conclusions such as "[Defendant] possessed subjective intent to cause harm or knowledge that harm was substantially certain to result from his actions" [Complaint, Adv. Dk. 7 ¶176]. There are no facts to support the allegation that Defendant harbored any intent to cause any harm nor that Defendant believed the injury was substantially certain to result. These conclusory allegations of law are given no deference. See *In re Kristal*, 464 B.R. 404 (Bankr. C.D. Cal. 2011). Hence, the willful prong is not sufficiently pled.

Malicious Injury

A "malicious injury" under §523(a)(6) involves: a wrongful act; done intentionally; which necessarily causes injury; and is done without just cause or excuse. "Maliciousness" may be implied from circumstances surrounding the debtor's conduct, even without proof that the debtor acted with spite,

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hatred or ill will toward the victim. *In re Ormsby*, 591 F.3d 1207 (9th Cir. 2010).

Here, the Complaint does not plead any facts indicating Defendant's wrongful act was done intentionally. Although "maliciousness" may be implied from circumstances surrounding Defendant's conduct, there are no facts alleged from which the Court can conclude Defendant acted maliciously. The Complaint alleges that Defendant "engaged in wrongful acts . . . done intentionally, which . . . caused injury and were done without just cause or excuse" [Complaint, Adv. Dk. 7 ¶175]. These are legal conclusions presented as factual allegations and are given no deference. *See In re Kristal*, 464 B.R. 404 (Bankr. C.D. Cal. 2011). There are no facts presented to support the conclusion that Defendant acted intentionally nor that Defendant acted without just cause or excuse. Hence, the malicious prong is not sufficiently pled.

E. § 727

§ 727(a) sets out the exclusive grounds for objecting to the debtor's discharge in bankruptcy, complaints that object to the debtor's discharge without alleging any of those grounds are subject to FRCP 12(b)(6) dismissal. *In re Guiltinan*, 58 B.R. 542, 545 (Bankr. S.D. Cal. 1986)

Here, the Complaint fails to allege any specific ground for objecting to Defendant's discharge under § 727(a). § 727(a) is quoted sporadically throughout the Complaint, but fails to provide any specific ground for denying Defendant's discharge. Without alleging specifically which grounds are being pled, the Complaint is subject to FRCP 12(b)(6) dismissal. The Complaint fails to "give the defendant fair notice of what the . . . claim is and the grounds upon which it rests." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555, 127 S.Ct. 1955, 167 L.Ed.2d 929 (2007) (internal quotations omitted).

F. Leave to Amend

The Court notes that the Complaint is Plaintiff's second attempt to articulate a

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claim upon which relief may be granted; however, there is not sufficient evidence before the Court to merit denial of leave to amend in light of the statutory policy stated in FRCP 15(a)(2) (applicable in bankruptcy pursuant to FRBP 7015) to "freely give leave when justice so requires." See *In re Dean*, 11 B.R. 542 (B.A.P. 9th Cir. 1981), *aff'd*, 687 F.2d 307 (9th Cir. 1982).

III. Conclusion

For the reasons set forth above, the Motion is GRANTED, and Plaintiffs may file an amended complaint within 14 days of the entry of the order granting this Motion. The Court cautions Plaintiffs' counsel to carefully consider the legal standards for the claims pled and allege facts accordingly in drafting any amended complaint.

Party Information

Debtor(s):

James L Conkey

Represented By
Laleh Ensafi

Defendant(s):

James L Conkey

Represented By
Charity J Manee

Plaintiff(s):

Camil Saab

Represented By
Douglas Jaffe

Helou Saab, Inc.

Represented By
Douglas Jaffe

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

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8:18-13145 James L Conkey

Chapter 7

Adv#: 8:18-01212 Saab et al v. Conkey

#4.00

STATUS CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Debt
(Complaint filed 12/3/18)

Docket 1

Tentative Ruling:

Tentative for 2/27/19 is to CONTINUE to 5/1/19 at 11:00 a.m. A status report is due 14 days in advance.

Party Information

Debtor(s):

James L Conkey

Represented By
Laleh Ensafi

Defendant(s):

James L Conkey

Pro Se

Plaintiff(s):

Camil Saab

Represented By
Douglas Jaffe

Helou Saab, Inc.

Represented By
Douglas Jaffe

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
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Wednesday, February 27, 2019

Hearing Room 5C

11:00 AM

8:17-12887 Dana Kim Shelton

Chapter 7

Adv#: 8:18-01006 Richard A. Marshack, Chapter 7 Trustee, v. Larson et al

#5.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint As To Defendant Bank Of America

(1) To Determine The Validity, Priority, And Extent Of Liens;

(2) Objecting To Daniel Keith Larson And Erin Ellen Larson [Claim No. 3] Filed On December 21, 2017;

(3) To Surcharge Lienholders For The Expenses Necessary To Preserve Collateral Securing Their Claims; And

(4) Damages For Violations Of Section 807 Of The FDCPA, 15 U.S.C. Section 1692e

[PRE-TRIAL AS TO DEFENDANT BANK OF AMERICA ONLY]

(Complaint filed 1/9/18) (PTC set at S/C held 3/8/18)

FR: Advanced from 4-18-18; 9-19-18; 12-5-18; 2-20-19

Docket 1

***** VACATED *** REASON: CONTINUED TO MARCH 20, 2019 AT 10:00 A.M. PER ORDER GRANTING STIPULATED REQUEST TO CONTINUE PRE-TRIAL HEARING ENTERED 2-13-19 - (DOCKET NO. [62])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dana Kim Shelton

Represented By

Christopher P Walker

Defendant(s):

Daniel Keith Larson

Pro Se

Erin Ellen Larson

Pro Se

Peter Kote

Pro Se

**United States Bankruptcy Court
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Hearing Room 5C

11:00 AM

CONT... Dana Kim Shelton
BANK OF AMERICA, N.A

Pro Se

Chapter 7

Plaintiff(s):

Richard A. Marshack, Chapter 7

Represented By
Misty A Perry Isaacson

Trustee(s):

Richard A Marshack (TR)

Represented By
Misty A Perry Isaacson

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Wednesday, February 27, 2019

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11:00 AM

8:17-12887 Dana Kim Shelton

Chapter 7

Adv#: 8:18-01006 Richard A. Marshack, Chapter 7 Trustee, v. Larson et al

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Status Of Appeal RE:
Complaint:

- (1) To Determine The Validity, Priority, And Extent Of Liens;
- (2) Objecting To Daniel Keith Larson And Erin Ellen Larson [Claim No. 3] Filed On December 21, 2017;
- (3) To Surcharge Lienholders For The Expenses Necessary To Preserve Collateral Securing Their Claims; And
- (4) Damages For Violations Of Section 807 Of The FDCPA, 15 U.S.C. Section 1692e

[STATUS CONFERENCE AS TO PETER KOTE ONLY]

(Complaint filed 1/9/18) (PTC set at S/C held 3/8/18)

(S/C set per Order Entered 10-9-18)

FR: Advanced from 4-18-18; 9-19-18; 12-5-18; 2-20-19

Docket 1

***** VACATED *** REASON: CONTINUED TO MARCH 20, 2019 AT
10:00 A.M. PER ORDER GRANTING STIPULATED REQUEST TO
CONTINUE STATUS CONFERENCE ENTERED 2-12-19 - (DOCKET NO.
[59])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dana Kim Shelton

Represented By

Christopher P Walker

Defendant(s):

Daniel Keith Larson

Pro Se

Erin Ellen Larson

Pro Se

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Wednesday, February 27, 2019

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CONT... Dana Kim Shelton

Chapter 7

Peter Kote

Pro Se

BANK OF AMERICA, N.A

Pro Se

Plaintiff(s):

Richard A. Marshack, Chapter 7

Represented By
Misty A Perry Isaacson

Trustee(s):

Richard A Marshack (TR)

Represented By
Misty A Perry Isaacson

**United States Bankruptcy Court
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Wednesday, February 27, 2019

Hearing Room 5C

11:00 AM

8:18-14059 Anthony Patrick Spirito

Chapter 7

#7.00

Hearing RE: Motion For Denial Of Discharge Pursuant To 11 U.S.C. Section 727(a)(8)
(Motion filed 1/22/19)

Docket 12

Tentative Ruling:

Tentative for 2/27/19 is to GRANT the Motion and DENY Debtor's discharge pursuant to § 727(a)(8).

Party Information

Debtor(s):

Anthony Patrick Spirito

Pro Se

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

10:00 AM

6:18-18877 Alex Balastro

Chapter 7

#1.00

Vanlochem & Associates LLP - movant attorney

Motion for Relief from Stay

Nissan Motor Acceptance Corporation vs. DEBTOR
(Motion filed 2/1/19)

Re: 2017 NISSAN ALTIMA, VIN # 1N4AL3AP5HC493070

EH_____

Docket 24

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Alex Balastro

Represented By
Alexander Pham

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
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Tuesday, March 5, 2019

Hearing Room 126

10:00 AM

6:18-19908 KENNETH LEE PADILLA

Chapter 7

#2.00

Malcolm Cisneros - movant attorney

Motion for Relief From Stay

PennyMac Loan Services vs. DEBTOR
(Motion 2/5/19)

Re: 31290 Congressional Dr., Temecula, CA 92591

EH_____

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

KENNETH LEE PADILLA

Represented By
Justin Lynch

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, March 5, 2019

Hearing Room 126

10:00 AM

6:18-20010 Vinodh Kumar Radhakrishnan and Sowjanya Raya

Chapter 7

#3.00

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTORS
(Motion filed 1/24/19)

Re: 2015 Toyota Prius

(Tele. appr. Austin P. Nagel, rep. creditor, Toyota)

Docket 16

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Vinodh Kumar Radhakrishnan

Represented By
M. Wayne Tucker

Joint Debtor(s):

Sowjanya Raya

Represented By
M. Wayne Tucker

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

10:00 AM

CONT... Vinodh Kumar Radhakrishnan and Sowjanya Raya

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

10:00 AM

6:18-20192 Heriberto Belman and Paige Danielle Belman

Chapter 7

#4.00

Malcolm Cisneros, A Law Corporation - movant attorney

Motion for Relief from Stay

Freedom Mortgage Corporation vs. DEBTORS
(Motion filed 1/30/19)

Re: 16789 Calle Pinata, Moreno Valley, CA 92551-2151

EH_____

Docket 11

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Heriberto Belman

Represented By
Todd L Turoci

Joint Debtor(s):

Paige Danielle Belman

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

10:00 AM

CONT... Heriberto Belman and Paige Danielle Belman

Chapter 7

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

10:00 AM

6:18-20671 Brenda Mendoza

Chapter 7

#5.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

TD Auto Finance LLC vs. DEBTOR, Howard Grobstein, trustee
(Motion filed 1/31/19)

Re: 2015 Chevrolet Camaro, VIN: 2G1FD1E38F9275422

EH_____

(Tele. appr. Jennifer H. Wang, rep. creditor TD)

Docket 12

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Brenda Mendoza

Represented By
James Geoffrey Beirne

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

10:00 AM

6:19-10293 Ramiro Camargo

Chapter 7

#6.00

Prenovost, Normandin, Bergh & Dawe - movant attorney

Motion for Relief from Stay

Gateway One Lending & Finance
(Motion filed 2/6/19)

Re: 2012 Toyota Corolla

EH_____

Docket 9

***** VACATED *** REASON: Case Dismissed 2/8/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ramiro Camargo

Pro Se

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

10:00 AM

6:19-10642 Jeovany Adrian Beltran Pina

Chapter 7

#7.00

Law Offices of Vincent V. Frounjian, P.C. - movant attorney

Motion for Relief from Stay

Honda Lease Trust vs. DEBTOR, Lynda T. Bui, chapter 7 trustee
(Motion filed 2/5/19)

Re: 2017 HONDA ODYSSEY, VIN: 5FNR L5H3 7HB0 15277

EH_____

(Tele. appr. Vincent Frounjian, rep. creditor, Honda Lease Trust)

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jeovany Adrian Beltran Pina

Represented By
Lionel E Giron

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

11:00 AM

6:16-13620 Angela M. Arents

Chapter 7

#8.00

Hrg. on Trustee's Final Report; Applications for Compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 3/05/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Angela M. Arents

Represented By
James D. Hornbuckle

Trustee(s):

Arturo Cisneros (TR)

Represented By
Elyza P Eshaghi
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

11:00 AM

6:18-10782 Lesa Dianne Beeler

Chapter 7

#9.00

Hrg. on chapter 7 trustee's Motion filed 1/31/19 Objecting To Debtors Claim Of Exemption In Lockheed Martin Stock Pursuant To CCP § 704.115

EH_____

Docket 26

Tentative Ruling:

Tentative for 3/05/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Lesa Dianne Beeler

Represented By
Linda Roberts-Ross

Trustee(s):

Karl T Anderson (TR)

Represented By
Robert P Goe
Thomas J Eastmond

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

11:00 AM

6:18-18793 Oscar Sanchez

Chapter 7

#12.00

Hrg. on chapter 7 trustee's Motion filed 1/30/19 for Order Compelling Turnover of Estate Property and Documents

EH_____

Docket 39

***** VACATED *** REASON: Cont. to 4/2/19 @ 11:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Oscar Sanchez

Pro Se

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#13.00

Hrg. on Motion for reconsideration of order disallowing and expunging claimant Kathryn Frederick's claims pursuant to Order granting City of San Bernardino's Third Omnibus Objection to claims

(Cont. from 1/22/19)

Docket 2714

***** VACATED *** REASON: Order entered on 3/4/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#14.00

Hrg. on Nineteen Omnibus Objection to Claim by Claimant Yvonne Banda; Rajiv Barse; Anjali Barse; Sanjiv Barse (aka Sanjiv Sequeira); Veronica Contreras; Coasa Leemont Harvey (Proof of Claim No. 95); Nuvia Lugo; Mercury Insurance Company A/S/O Richard Reyes; Antonio Sanchez. Where (1) the City Has No Liability and/or (2) Claimants Failed to Comply with the ADR Procedures

(In Re: Rajiv Barse; Anjali Barse; Sanjiv Barse (aka Sanjiv Sequeira), the hearing is continued to 3/19/19, @ 1:30 p.m.)

Docket 2775

Tentative Ruling:

Tentative for 3/05/19:

The Objection is SUSTAINED, except as to Rajiv Barse, Anjali Barse, and Sanjiv Barse (aka Sanjiv Sequeira), which have been continued to 3/19/19.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

1:30 PM

6:17-19048 Caroline C Mendoza

Chapter 11

#15.00

Hrg. on approval of Disclosure Statement

(Cont. from 2/5/19)

EH_____

(Tele. appr. Darlene C. Vigil, rep. creditor, Wilmington Trust National Association)

Docket 0

Tentative Ruling:

Tentative for 3/5/19:

Appearances required.

Tentative for 2/5/19:

Counsel should appear and be prepared to discuss the following issues:

1. The feasibility of the plan appears to be based in part on payments from third parties. Debtor should provide additional support for approval of a plan under Chapter 11 with such a contingency. Further, the Court notes that Debtor's family members have provided declarations stating that they can afford to and will continue to make the payments to the Debtor in support of her plan; however, these statements lack foundation and detail sufficient to convince the Court of their reliability. For example, while Mr. Mendoza and Ms. Calangi both provide their monthly income, they do not state their monthly

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

1:30 PM

CONT...

Caroline C Mendoza

Chapter 11

expenses, so the Court cannot evaluate whether they truly have the financial ability to make the promised monthly contributions for the duration of the Debtor's plan.

2. It is not clear that the treatment of the claims of junior lienholders Angelina Yumang and AMC Rockwell Corporation as unsecured claims owed \$0.00 is appropriate. Debtor argues her personal obligation on this lien was discharged in 2012, and the Creditors' liens were stripped pursuant to a motion to value. In support of this assertion, Debtor cites case law for Chapter 13 cases, but does not address the effect of § 1111(b)(A) (which does not apply in Chapter 13), which provides that a claim secured by property of the estate shall be treated as though the holder had recourse against the debtor on account of the claim. See *In re B.R. Brookfield Commons No. 1 LLC*, 735 F.3d 596, 598 (7th Cir. 2013) (requiring an otherwise non-recourse claim to be treated as if creditor had recourse against debtors because creditor's claim was secured by a valid lien against debtors' property); *In re Salamon*, 854 F.3d 632, 636 (9th Cir. 2017) (finding that §1111(b)(A) did not apply where the property had been sold and the liens were secured by property that was no longer property of the estate).
3. The Plan and Disclosure Statement propose to modify a mortgage secured by Debtor's primary residence. It is unclear why this is permissible under §1123(b)(5).
4. While the Disclosure Statement references the Wells Fargo Motion for Relief from stay with respect to the 16593 Catena Drive Property, it does not mention the relief from stay motion with respect to the 2226 Rancho Hills Drive property that was granted on June 22, 2018 [Dk. 75], or whether this property remains property of the estate or if this relief from stay has any effect on the estate.

Appearances required.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

1:30 PM

CONT... Caroline C Mendoza

Chapter 11

Tentative for 10/9/18:

The Court has reviewed the status report filed 9/25/18 [Dk. 92] and is unclear why Debtor requires another 60 days prior to filing her plan and disclosure statement in what appears to be a straightforward (secured debt only; no claim objections; no avoidance actions) individual Chapter 11 case, which has already been pending nearly a year.

Appearances required.

Party Information

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

1:30 PM

6:17-19048 Caroline C Mendoza

Chapter 11

#16.00

Hrg. on Chapter 11 Status Conference

(Cont. from 2/5/19)

EH_____

(Tele. appr. Darlene C. Vigil, rep. creditor, Wilmington Trust National Association)

Docket 0

Tentative Ruling:

Tentative for 3/5/19:

None listed.

Tentative for 2/05/19 is to set a CONTINUED date of April 2, 2019, at 1:30 p.m.

Tentative for 10/9/18:

The Court has reviewed the status report filed 9/25/18 [Dk. 92] and is unclear why Debtor requires another 60 days prior to filing her plan and disclosure statement in what appears to be a straightforward (secured debt only; no claim objections; no avoidance actions) individual Chapter 11 case, which has already been pending nearly a year.

Appearances required.

Party Information

Debtor(s):

Caroline C Mendoza

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

1:30 PM

CONT...

Caroline C Mendoza

Todd L Turoci

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

1:30 PM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#17.00

Hrg. on Chapter 11 Status Conference

EH_____

(Cont. from 1/22/19)

(Tele. appr. Brian T. Harvey, rep. creditor, Strategic Funding Source)

Docket 0

Tentative Ruling:

Tentative for 3/5/19 is to set a continued status conference date of April 16, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 1/22/19 is to set a continued status conference date of March 5, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 8/21/18 is to set a continued status conference date of January 22, 2019 at 11:00 a.m. A status report is due 14 days in advance.

With respect to Debtor's request to continue the October 15, 2018 deadline to file a plan and disclosure statement, which was set pursuant to an order entered August 8, 2018 [Dk. 70] at Debtor's request, the Court would prefer a formal motion, which it can then grant for cause, if cause exists.

Appearances required.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

1:30 PM

CONT... Big Bear Bowling Barn, Inc.

Chapter 11

Tentative for 5/15/18 is to set the following dates/deadlines:

1. Deadline to file a Plan and Disclosure Statement: August 3, 2018, which is approximately 120 days from the Petition Date. Note: the failure to timely file a Plan and Disclosure Statement may result in the dismissal or conversion of the case.
2. Claims Bar Date: July 30, 2018, with the notice to be served by no later than May 29, 2018.
3. Claims Objection Date: September 28, 2018.
4. Continued Status Conference: August 21, 2018 at 1:30 p.m.. A status report is due 14 days in advance.

Debtor is to lodge a scheduling order within seven days.

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

1:30 PM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#18.00

Hrg. on Approval of Disclosure Statement

EH_____

(Tele. appr. Brian T. Harvey, rep. creditor, Strategic Funding Source)

Docket 0

Tentative Ruling:

Tentative for 3/5/19 is to CONTINUE the hearing on the disclosure statement to April 16, 2019, at 1:30 p.m. to allow Debtor to file an amended plan and disclosure statement that addresses and resolves the issues raised in the objections filed by Creditor Columbia Bank on February 15, 2019 [Dk. 127] and by the UST on February 19, 2019 [Dk. 128].

An amended disclosure statement and plan must be filed by **March 26, 2019**.
Oppositions to the amended disclosure statement are due **April 2, 2019**.
Replies to any opposition are due **April 9, 2019**.

Appearances for the 3/5/19 hearing are excused.

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 5, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#19.00

Hrg. on Debtor's Motion filed 8/8/18 to Use Cash Collateral

(Cont. from 1/22/19)

EH_____

Docket 5

***** VACATED *** REASON: Cont. to 3/19/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Illyssa I Fogel

Movant(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Tuesday, March 5, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#10.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management
Conference And (2) Requiring Status Report
(Petition filed 11/5/18)

FR: 12-20-18; 1-24-19; 2-7-19

Docket 1

***** VACATED *** REASON: CONTINUED TO MARCH 7, 2019 AT
11:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE AND
OSC ENTERED 2-11-19 - (DOCKET NO. [115])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Tuesday, March 5, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#11.00

Hearing RE: Order To Show Cause RE: Debtor's Application To Employ
Holthouse Carlin Van Tright LLP As Outside Certified Public Accountant
(Motion filed 12-20-18)
(Set per Order To Show Cause Entered 2-6-19)

Docket 107

***** VACATED *** REASON: CONTINUED TO MARCH 7, 2019 AT
11:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE AND
OSC ENTERED 2-11-19 - (DOCKET NO. [115])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 6, 2019

Hearing Room 126

10:00 AM

6:18-18096 Jose Rolando Lemus and Sandra Luz Lemus

Chapter 7

#1.00

Hrg. on approval of reaffirmation Agreement filed 12/28/18 Between Debtor and JPMorgan Chase Bank, N.A., in the amount of \$22,360.63

Re: 2017 Jeep Cherokee

(Cont. from 2/6/19)

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Rolando Lemus

Represented By
Yolanda Flores-Burt

Joint Debtor(s):

Sandra Luz Lemus

Represented By
Yolanda Flores-Burt

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 6, 2019

Hearing Room 126

10:00 AM

6:18-18329 Gabriel Alfredo Acuna and Blanca Estella Salser-Acuna

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement filed 1/2/19, Between Debtor and Arrowhead Credit Union, in the amount of \$23,382.37

Re: 2016 Nissan Maxima

(Cont. from 2/6/19)

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gabriel Alfredo Acuna

Represented By
Neil R Hedtke

Joint Debtor(s):

Blanca Estella Salser-Acuna

Represented By
Neil R Hedtke

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 6, 2019

Hearing Room 126

10:00 AM

6:18-18592 Jose Garcia Garcia and Jaqueline Janeth Huezo Asencio

Chapter 7

#3.00

Hrg. on approval of Reaffirmation Agreement filed 1/10/19, Between Debtor and Cab West, LLC, in the amount of \$1872.60

Re: 2016 Ford Fusion

(Cont from 2/6/19)

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Garcia Garcia	Pro Se
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Joint Debtor(s):

Jaqueline Janeth Huezo Asencio	Pro Se
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Trustee(s):

Larry D Simons (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 6, 2019

Hearing Room 126

10:00 AM

6:18-19043 Donald Meredith Dible

Chapter 7

#4.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, in the amount of \$12,906.11

Re: 2015 Kia Sportage

(Cont. from 2/6/19)

Docket 19

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Donald Meredith Dible

Represented By
Stephen H Darrow

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 6, 2019

Hearing Room 126

10:00 AM

6:18-20132 Mario Edgardo Escalante Lopez

Chapter 7

#5.00

Hrg. on Approval of Reaffirmation Agreement filed 1/14/19 Between Debtor and Toyota Motor Credit Corporation, in the amount of \$15,944.99

Re: 2013 Toyota Highlander

(Cont from 2/6/19)

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mario Edgardo Escalante Lopez

Represented By
Marlin Branstetter

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 6, 2019

Hearing Room 126

10:00 AM

6:18-20135 Sylvia Garcia

Chapter 7

#6.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation, in the amount of \$25,703.79

Re: 2017 Toyota RAV4

(Cont. 2/6/19)

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sylvia Garcia

Represented By
Marlin Branstetter

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 6, 2019

Hearing Room 126

10:00 AM

6:18-20148 Zelle Flor Arrogante - Frazier and John Ben Frazier

Chapter 7

#7.00

Hrg. on Approval of Reaffirmation Agreement filed 1/29/19 Between Debtor and Navy Federal Credit Union, in the amount of \$3,150.14

Re: 2014 Jeep

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Zelle Flor Arrogante - Frazier

Represented By
Sanaz S Bereliani

Joint Debtor(s):

John Ben Frazier

Represented By
Sanaz S Bereliani

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 6, 2019

Hearing Room 126

10:00 AM

6:19-10522 Arthur A Rodriguez

Chapter 7

#8.00

Hrg. on approval of Reaffirmation Hearing filed 2/12/19 Between Debtor and Alaska USA Federal Credit Union, in the amount of \$14,572.53

Re: 2016 Dodge Grand Caravan

Docket 7

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Arthur A Rodriguez

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 6, 2019

Hearing Room 126

10:00 AM

6:18-19634 Jennifer Jean Worth

Chapter 7

#8.10

Hrg. on approval of Reaffirmation Agreement filed 12/13/19 Between Debtor and American Honda Finance Corporation, in the amount of \$6,322.82

Re: 2015 Honda CRV

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jennifer Jean Worth

Represented By
Antoine R Gadpaille

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 6, 2019

Hearing Room 126

1:30 PM

6:15-20279 Mohammad Far

Chapter 7

Adv#: 6:16-01018 O'Laverty et al v. Far et al

#10.00

STATUS CONFERENCE re Complaint by Ames Todd O'Laverty, Cheri O'Laverty, Merilee Sousa against Mohammad Far, Ruth Ann Far (523(a)(2), false pretenses, false representation, actual fraud, 523(a)(4), fraud as fiduciary, embezzlement, larceny, 523(a)(6), willful and malicious injury)

(Cont. from 10/24/18)

EH _____

Docket 1

Tentative Ruling:

Tentative for 3/06/19:

This matter is CONTINUED to June 26, 2019 at 1:30 p.m. A status report (whether joint or unilateral) is due 14 days in advance.

Appearances are excused.

Tentative for 10/24/18:

This matter is CONTINUED to March 6, 2019 at 1:30 p.m. A status report (whether joint or unilateral) is due 14 days in advance.

Appearances are excused.

Tentative for 5/30/18:

The Court has received and reviewed the status report filed by Debtors on 5/10/18 [Dk. 45] and will CONTINUE this matter to 10/17/18 at 1:30 p.m. A

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 6, 2019

Hearing Room 126

1:30 PM

CONT...

Mohammad Far

Chapter 7

status report (whether joint or unilateral) is due **14 days in advance**. Future failure to timely file status reports may result in sanctions.

Appearances are excused.

Tentative for 11/15/17:

This matter is CONTINUED to March 14, 2018 at 1:30 p.m. A status report (whether joint or unilateral) is due **14 days in advance**. Future failure to timely file status reports may result in sanctions.

Appearances are excused.

Tentative for 8/16/17:

The Court has received and reviewed the status report filed late on August 11, 2017 [Dk. 37]. This status conference is CONTINUED to November 15, 2017 at 1:30 p.m. A status report (whether joint or unilateral) is due **14 days in advance**. Future failure to timely file status reports may result in sanctions.

Appearances are excused.

Tentative for 5/10/17:

The Court has reviewed the Status Report filed 5/2/17 [Dk. 34] and notes that it indicates the appeal has been filed and is pending. The Court will CONTINUE the status conference to August 16, 2017 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 3/15/17:

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 6, 2019

Hearing Room 126

1:30 PM

CONT... **Mohammad Far**

Chapter 7

Appearances required. The parties should be prepared to discuss (1) the impact of the pending appeal on the motion for summary judgment presently calendared for 5/3/17; and (2) new dates for the pre-trial conference and motion for summary judgment, if warranted.

Party Information

Debtor(s):

Mohammad Far

Represented By
Stephen H Darrow

Defendant(s):

Mohammad Far

Represented By
Stephen H Darrow

Ruth Ann Far

Represented By
Stephen H Darrow

Joint Debtor(s):

Ruth Ann Far

Represented By
Stephen H Darrow

Plaintiff(s):

Ames Todd O'Laverty

Represented By
Ian Landsberg

Cheri O'Laverty

Represented By
Ian Landsberg

Merilee Sousa

Represented By
Ian Landsberg

Trustee(s):

Larry D Simons (TR)

Represented By
Howard M Ehrenberg
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, March 6, 2019

Hearing Room 5C

11:00 AM

8:16-12539 Lilibeth Del Rosario

Chapter 7

Adv#: 8:17-01159 Marshack v. American Express Bank FSB et al

#9.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Turnover And Avoidance Of Preferential Transfers And Recovery Of The Value Of Such Transfers **[Holding Date]**
(Complaint filed 10/7/17)

FR: 1-24-18; 4-18-18; 8-1-18;10-17-18; 10-24-18; 12-19-18

Docket 1

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
VOLUNTARY DISMISSAL OF ADVERSARY PROCEEDING FILED 12-18
-19 -(DOCKET NO. [22])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lilibeth Del Rosario

Represented By
Mark D Klein

Defendant(s):

Credit First

Pro Se

JP Morgan Chase Bank

Pro Se

American Express Bank FSB

Pro Se

Joint Debtor(s):

Aristotle Perlas Del Rosario

Represented By
Mark D Klein

Plaintiff(s):

Richard A Marshack

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, March 6, 2019

Hearing Room 5C

11:00 AM

CONT... Lilibeth Del Rosario

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 7, 2019

Hearing Room 5C

10:00 AM

8:18-13588 Tim M McKenna

Chapter 7

#1.00

Motion for relief from stay [Personal Property]

Ford Motor Credit Company LLC vs. DEBTOR
(Motion filed 2/11/19)

[RE: 2016 Ford F150 - VIN No.: 1FTEW1EG8GKE98785]

Docket 98

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Tim M McKenna

Represented By
Michael G Spector

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Ryan W Beall
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 7, 2019

Hearing Room 5C

10:00 AM

8:18-13617 Ian G. Winterbotham and Bree C. Winterbotham

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

Newtek Small Business Finance, LLC vs. DEBTORS
(Motion filed 2/6/19)
(Amended Motion filed 2/8/19)

[RE: All Personal Property Listed In Debtors' Bankrutpcy Schedules A/B]

Docket 40

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ian G. Winterbotham

Represented By
Michael D Franco

Joint Debtor(s):

Bree C. Winterbotham

Represented By
Michael D Franco

Trustee(s):

Richard A Marshack (TR)

Represented By
Larry D Simons

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 7, 2019

Hearing Room 5C

10:00 AM

8:18-14701 Ronie Ocampo

Chapter 7

#3.00

Motion for relief from stay [Personal Property]

BMW Bank Of North America vs. DEBTOR
(Motion filed 2/1/19)
(Amended Motion filed 2/4/19)

**[RE: 2016 BMW X1 xDrive28i Sport Utility 4D]
[VIN No.: WBXHT3C31GP887565]**

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ronie Ocampo

Represented By
Richard L. Sturdevant

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 7, 2019

Hearing Room 5C

10:00 AM

8:19-10004 Rodrigo Gallardo Martin

Chapter 7

#4.00

CONT'D Motion for relief from stay [Unlawful Detainer]

Sy & YM, LLC vs. DEBTOR
(Motion filed 1/16/19)

[RE: 406 W. Washington Avenue, Apartment No. 2, Santa Ana, CA 92706]

FR: 2-7-19

Docket 10

Tentative Ruling:

Tentative for 3/07/19:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Tentative for 2/7/19 is to DENY for lack of evidence.

The motion and attached declaration have significant evidentiary defects which prevent the granting of the Motion:

1. Although Declarant indicates that he is Movant's attorney (¶1(d)), he does not provide foundation for his knowledge of the facts (¶2).
2. Declarant lists movant as the legal owner of the Property, but does not attach any evidence of ownership directly to the Motion (¶4). Although a lease is

**United States Bankruptcy Court
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Santa Ana
Judge Scott Clarkson, Presiding
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Thursday, March 7, 2019

Hearing Room 5C

10:00 AM

CONT... Rodrigo Gallardo Martin Chapter 7

attached to the UD Complaint that is attached to the Motion, the UD Complaint is only verified by e-signature.

3. The Motion does not provide any information regarding monthly rent or other obligations Debtor has failed to pay (§6).

4. While Debtor's address is the same as the one listed on the 60-Day Notice to Terminate Tenancy and the UD Complaint, Debtor is not listed as a defendant in the UD Action, nor has any evidence been provided that Debtor has been substituted in as a Doe. Debtor also is not listed on the unexecuted lease attached to the UD Action.

Accordingly, Movant has not provided sufficient evidence that it is entitled to the relief requested.

Appearances required.

Party Information

Debtor(s):

Rodrigo Gallardo Martin

Represented By
Randy Alexander

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 7, 2019

Hearing Room 5C

10:00 AM

8:19-10053 Michael John Beresford and Allison Beresford

Chapter 7

#5.00

Motion for relief from stay [Real Property]

Wilmington Trust, National Association, Not In Its Individual Capacity, But Solely As Trustee For MFRA Trust 2015-2 vs. DEBTORS
(Motion filed 1/29/19)

[RE: 3074 Cresta Way, Laguna Beach, California 92651]

Docket 38

Tentative Ruling:

Tentative for 3/07/19:

Appearances required.

Party Information

Debtor(s):

Michael John Beresford

Represented By
Keith R Wood

Joint Debtor(s):

Allison Beresford

Represented By
Keith R Wood

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 7, 2019

Hearing Room 5C

11:00 AM

8:16-12463 Marzieh Bagheri-Tari

Chapter 11

#6.00

Hearing RE: Order Directing Debtor To Appear And Show Cause Why Case Should Not Be Dismissed Or Converted
(Set per OSC Entered 1/24/19)

Docket 177

Tentative Ruling:

Tentative for 3/07/19:

The Court has received and reviewed the Status Report and Declaration filed in Response to the OSC on 2/21/19 [Dk. 183] and will discharge the OSC. Counsel is to lodge an order within seven (7) days.

Appearances are excused.

Party Information

Debtor(s):

Marzieh Bagheri-Tari

Represented By
Yeznik O Kazandjian

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 7, 2019

Hearing Room 5C

11:00 AM

8:16-12463 Marzieh Bagheri-Tari

Chapter 11

#7.00

CONT'D POST-CONFIRMATION STATUS CONFERENCE Hearing RE: (1)
Case Management Conference And (2) Requiring Status Report
(Petition filed 6/13/16)
(Post-Confirmation S/C set at confirmation hearing held 8/31/17)

FR: 8-4-16; 10-20-16; 12-15-16; 2-16-17; 3-9-17, 5-11-17; 8-31-17; 11-9-17;
2-22-18; 5-3-18; 9-13-18; 9-20-18; 1-24-19

Docket 1

Tentative Ruling:

Tentative for 3/07/19:

This matter is continued to August 15, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 1/24/19:

As of the posting of this tentative, no status report has been filed.

Appearances required.

Party Information

Debtor(s):

Marzieh Bagheri-Tari

Represented By
Yeznik O Kazandjian

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 7, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#8.00

CONT'D Hearing RE: Omnibus Motion Of CA Express Fund, LLC And CA Real Estate Opportunity Fund II, LLC to Disallow Claims Pursuant To 11 U.S.C. 502(e) (Motion filed 12/21/18)

Claim No. 3-1 William Jordan \$ Zero or Unknown

Claim No. 6-1 William Jordan \$ Zero or Unknown

FR: 1-24-19

Docket 751

Tentative Ruling:

Tentative for 3/07/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

The Tentative for 1/24/19 is to GRANT the objection and disallow Claims 3-1 and 6-1 (collectively, "Claims") under § 502(e) to the extent that the Claims (1) are based on Mr. Jordan's right to payment, if any, arising from the indemnification provisions in the operating agreements of CA Express Fund and CA Real Estate Opportunities II (collectively, "Debtors"); and (2) seek indemnification in relation to the complaint filed by the SEC.

Debtors seek disallowance of the claims under § 502(e), and have established

**United States Bankruptcy Court
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Santa Ana
Judge Scott Clarkson, Presiding
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Thursday, March 7, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

the three required elements for the limited basis described above. However, the Motion is ambiguous regarding the precise nature of the Claims; it represents that **"presumably"** the Claims are based on the indemnification provisions of the Debtors' operating agreements and seek indemnification for claims related to the complaint filed by the SEC. In light of such uncertainty, the Debtors have not met their burden to disallow the claims for anything other than the narrow circumstance described above.

If Debtors seek an order more generally disallowing these claims, they should be prepared to explain why such disallowance is merited and point to the evidence in support of their position.

Appearances required.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 7, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 11

#9.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 10/4/18) (Case Converted on 12/4/18)

FR: 1-24-19

Docket 0

Tentative Ruling:

Tentative for 3/07/19:

Debtor shall file a disclosure statement and plan by May 1, 2019. The disclosure statement hearing shall be held on June 13, 2019 at 11:00 a.m.

A continued status conference shall be held on June 13, 2019 at 11:00 a.m. with a status report due 14 days in advance.

Appearances required.

Tentative for 1/24/19 is to set the following dates/deadlines:

1. Deadline for filing a plan and disclosure statement: May 1, 2019. Note: the failure to timely file a plan and disclosure statement may result in the conversion or dismissal of the case.

2. Continued status conference: June 13, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 7, 2019

Hearing Room 5C

11:00 AM

CONT... Brooks T Morgan

Chapter 11

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 7, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#10.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 11/5/18)

FR: 12-20-18; 1-24-19; 2-7-19; 3-5-19

Docket 1

Tentative Ruling:

Tentative for 3/07/19 is to set a continued status conference date of June 27, 2019 at 11:00 a.m. with a status report due 14 days in advance.

Appearances required.

Tentative for 2/07/19 is to set a continued status conference on April 18, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Debtor is also instructed to lodge a scheduling order setting forth the dates and deadlines established at the 1/24/19 status conference.

Tentative for 1/24/19 is to set the following dates/deadlines:

1. Deadline for filing a plan and disclosure statement: March 5, 2019. See Status Report filed 12/6/18 [Dk. 60], pg. 9:15-18. Note: the failure to timely file a plan and disclosure statement may result in the conversion or dismissal of the case.
2. Claims Bar Date: March 29, 2019 with notice to be served by January 28, 2019.
3. Continued status conference: April 18, 2019 at 11:00 a.m. A status report

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 7, 2019

Hearing Room 5C

11:00 AM

CONT... Kendall Frozen Fruits, Inc.
is due 14 days in advance.

Chapter 11

Appearances required.

Tentative for 12/20/18:

The Court has received and reviewed the status report filed on December 6, 2018 [Dk. 60]. The Status Conference is CONTINUED to January 24, 2019 at 11:00 a.m. Debtor is to submit a supplemental status report, updating the report submitted for the December 20, 2018 status conference, by no later than 14 days in advance of the January 24, 2019 hearing.

Appearances are excused.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 7, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#11.00

CONT'D Hearing RE: Order To Show Cause RE: Debtor's Application To Employ
Holthouse Carlin Van Tright LLP As Outside Certified Public Accountant
(Motion filed 12-20-18)
(Set per Order To Show Cause Entered 2-6-19)

FR: 3-5-19

Docket 107

Tentative Ruling:

Tentative for 3/07/19:

The parties should appear and be prepared to discuss the work performed to date by HCVT and how the Chapter 11 Trustee would like to proceed with respect to HCVT moving forward.

Appearances required.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, March 14, 2019

Hearing Room 126

10:00 AM

6:19-11920 Air Force Village West Inc

Chapter 11

#1.00

Hrg on Emergency Motion of debtor for entry of Order (A) Prohibiting utilities from altering, refusing, or discontinuing services, and (B) Determining adequate assurance of payment for future utility services

EH ____

Docket 10

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

Movant(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Samuel R Maizel
Tania M Moyron
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, March 14, 2019

Hearing Room 126

10:00 AM

6:19-11920 Air Force Village West Inc

Chapter 11

#2.00

Hrg on Emergency Motion of Debtor to: (I) Partially Excuse Receiver From Compliance With Turnover Requirements; (II) Authorize Receivers Continued Retention Of Professionals; and (III) Obtain Related Relief

EH____

Docket 11

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
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Thursday, March 14, 2019

Hearing Room 126

10:00 AM

6:19-11920 Air Force Village West Inc

Chapter 11

#3.00

Hrg on Emergency Motion of Debtor for Interim and Final Orders (A) Authorizing the Debtor to Obtain Post Petition Financing, (B) Authorizing the Debtor to Use Cash Collateral, and (C) Granting Adequate Protection to Prepetition Lenders Pursuant to 11 U.S.C. Sections 105, 363, 364, 1107 and 1108

EH ____

Docket 12

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, March 14, 2019

Hearing Room 126

10:00 AM

6:19-11920 Air Force Village West Inc

Chapter 11

#4.00

Hrg. on Emergency Motion Of Debtor For Authority To: (I) Continue Using Existing Cash Management System, Bank Accounts And Business Forms; (II) Implement Changes To The Cash Management System In The Ordinary Course Of Business; And (III) Obtain Related Relief

EH ____

Docket 13

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, March 14, 2019

Hearing Room 126

10:00 AM

6:19-11920 Air Force Village West Inc

Chapter 11

#5.00

Hrg. on Emergency Motion Of Debtor For Entry Of Order: (I) Authorizing The Debtor To (A) Pay Prepetition Employee Wages And Salaries, And (B) Pay And Honor Employee Benefits And Other Workforce Obligations; And (II) Authorizing And Directing The Applicable Bank To Pay All Checks And Electronic Payment Requests Made By The Debtor Relating To The Foregoing

EH ____

Docket 14

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, March 14, 2019

Hearing Room 126

10:00 AM

6:19-11920 Air Force Village West Inc

Chapter 11

#6.00

Hrg. on Emergency Motion for Entry of an Order Authorizing Debtor to Honor
Prepetition Obligations to Critical Vendors

EH ____

Docket 15

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, March 14, 2019

Hearing Room 126

10:00 AM

6:19-11920 Air Force Village West Inc

Chapter 11

#7.00

Hrg. on Emergency Application for an Order (A) Appointing Kurtzman Carson Consultants LLC as Claims and Noticing Agent and (B) Approving the Form and Manner of Notice of Case Commencement

EH ____

Docket 17

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, March 14, 2019

Hearing Room 126

10:00 AM

6:19-11920 Air Force Village West Inc

Chapter 11

#8.00

Hrg. on Emergency Motion for Entry of Order Authorizing the Debtor to (I) Maintain Insurance Programs, (II) Pay Insurance Premiums in the Ordinary Course, and (III) Pay All Obligations Associated Therewith

EH ____

Docket 18

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, March 14, 2019

Hearing Room 126

10:00 AM

6:19-11920 Air Force Village West Inc

Chapter 11

#9.00

Hrg. on Emergency Motion For Order Limiting Scope of Notice

EH ____

Docket 19

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, March 14, 2019

Hearing Room 126

10:00 AM

6:19-11920 Air Force Village West Inc

Chapter 11

#10.00

Hrg. on Emergency Motion For Entry of Order Authorizing Filing Under Seal of Confidential Patient Information

EH ____

Docket 22

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

10:00 AM

6:18-19359 Benjamin T Calhoun

Chapter 7

#1.00

Law Offices of Glen Dresser - movant attorney

Motion for Relief from Stay

USALLIANCE FCU vs DEBTOR

(Motion filed Hearing 2/22/19)

RE: 2016 Chevy Silverado and 2016 Chevy Suburban

EH_____

Docket 46

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Benjamin T Calhoun

Represented By
James R Selth

Trustee(s):

Steven M Speier (TR)

Represented By
Robert P Goe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

10:00 AM

6:18-19838 Kimberly M. Turner

Chapter 7

#2.00

French Lyon Tang - movant attorney

Motion for Relief from Stay

Bank of the West vs. DEBTOR
(Motion filed 2/20/19)

Re: 2012 Chevrolet Equinox

EH_____

(Tele. appr. Mary Tang, rep. creditor, Bank of the West)

Docket 12

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Kimberly M. Turner

Represented By
Patricia M Ashcraft

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

10:00 AM

6:19-10400 Bryan Alberto Garcia

Chapter 7

#3.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

First Investors Servicing Corporation vs DEBTOR, Robert Whitmore, trustee
(Motion filed 2/14/19)

Re: 2014 Mercedes Benz CLS Class, VIN: WDDLJ9BB0EA091050

EH_____

(Tele. appr. Sheryl Ith, rep. creditor, First Investors Corporation)

Docket 14

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Bryan Alberto Garcia

Pro Se

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

11:00 AM

6:11-19285 Jamie Burst Spada

Chapter 7

#4.00

Hrg. on Chapter 7 Trustee's Motion filed 2/14/19 to approve compromise of Estates Interest in Product Liability Claims; Approving Certain Fees and Costs

EH_____

Docket 25

Tentative Ruling:

Tentative for 3/19/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jamie Burst Spada

Represented By
Marc E Grossman

Trustee(s):

Robert Whitmore (TR)

Represented By
David Kuttles
David Kuttles

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

11:00 AM

6:17-19913 Thomas John Forrest

Chapter 7

#5.00

Hrg. on Debtor and Debtor's spouse for order withdrawing mutual waiver of right to claim state exemptions

EH_____

Docket 34

Tentative Ruling:

Tentative for 3/19/19.

Appearances are required.

Party Information

Debtor(s):

Thomas John Forrest

Represented By
Michael F Chekian

Trustee(s):

Larry D Simons (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

11:00 AM

6:17-20602 Johnard C Reyes and Crizelda Mallares-Reyes

Chapter 7

#6.00

Hrg. on approval of trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 3/19/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Johnard C Reyes

Represented By
Julie J Villalobos

Joint Debtor(s):

Crizelda Mallares-Reyes

Represented By
Julie J Villalobos

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

11:00 AM

6:18-12437 Rick Lee Letts and Kathleen Masuye Letts

Chapter 7

#7.00

Hrg. on approval of trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative 3/19/19 is to APPROVE as requested, except that \$300 in fees by Karl T. Anderson CPA and \$480 in fees by Pagter and Perry Isaacson related to employment applications are disallowed.

The "preparation of an application for employment of a professional is a duty generally performed by a trustee without the assistance of an attorney." See *In re Garcia*, 335 B.R. 717, 725 (B.A.P. 9th Cir. 2005) (where BAP affirmed the denial of fees related to trustee's counsel's employment application in Chapter 7 case, where counsel was retained to negotiate an equity buy back and sell property of the estate). The Applicants have not demonstrated that the employment applications were not routine, which remains a trustee duty. *Id.*

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Rick Lee Letts

Represented By
Donald Segretti

Joint Debtor(s):

Kathleen Masuye Letts

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

11:00 AM

CONT... Rick Lee Letts and Kathleen Masuye Letts

Chapter 7

Donald Segretti

Trustee(s):

Karl T Anderson (TR)

Represented By

Misty A Perry Isaacson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

11:00 AM

6:18-13939 Giovanni C. Chavez

Chapter 7

#8.00

Hrg. on Trustee's Final Report; Application for Compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 3/19/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Giovanni C. Chavez

Represented By
Michael D Luppi

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

11:00 AM

6:18-14146 Sandra Lee Holleman

Chapter 7

#9.00

Hrg. on approval of trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 3/19/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Sandra Lee Holleman

Represented By
Karen E Lockhart

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

11:00 AM

6:19-10149 Gorilla Islands, LLC

Chapter 7

#10.00

Hrg. on U.S. Trustee's Motion For Order Compelling Attorney To File Disclosure Of Compensation Pursuant To 11 U.S.C. § 329 And Federal Rule Of Bankruptcy Procedure 2016

EH_____

Docket 19

Tentative Ruling:

Updated tentative for 3/19/19:

The Court has received and reviewed the opposition [Dk. 33] and Disclosure of Compensation [Dk. 32] filed on 3/18/19. While the Court is not pleased with the extreme tardiness of filing an opposition on the eve of a hearing, it is inclined to consider the late-filed documents as they go to the merits of the Motion. Both parties are directed to appear and discuss the sufficiency of the disclosure and why it could not have been made in a more timely manner.

Appearances required.

Tentative for 3/19/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

11:00 AM

CONT... Gorilla Islands, LLC

Chapter 7

Debtor(s):

Gorilla Islands, LLC

Represented By
Bruce A Boice

Trustee(s):

Howard B Grobstein (TR)

Represented By
Christopher K.S. Wong
M Douglas Flahaut
Aram Ordubegian

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#11.00

Hrg. on Nineteen Omnibus Objection to Claim by Claimant; Rajiv Barse; Anjali Barse; Sanjiv Barse (aka Sanjiv Sequeira); Notice of Nineteenth Omnibus Objection and City of San Bernardinos Nineteenth Omnibus Objection to Claims Where (1) the City Has No Liability and/or (2) Claimants Failed to Comply with the ADR Procedures

Docket 2775

Tentative Ruling:

Tentative for 3/19/19:

The City objected to the claims of Rajiv Barse, Anjali Barse, and Sanjiv Barse (aka Sanjiv Sequeira) (the "Claimants") on the grounds that they have intentionally failed to comply with the ADR Procedures, which require them to (a) provide the City with the documents the City requested supporting their claims of liability and damages, and (b) participate in mediation.

Counsel for the Claimants should be prepared to walk the Court through the admissible evidence submitted demonstrating compliance with the ADR Procedures.

Appearances required in Courtroom 5C, located at 411 W. Fourth Street, Santa Ana, CA 92701.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

1:30 PM

6:12-34801 Salvador Rivera and Teresa Rivera

Chapter 11

#12.00

Hrg. on Post Confirmation Status Conference

(Cont. from 11/27/18)

EH____

Docket 0

Tentative Ruling:

Tentative for 3/19/19:

This matter is CONTINUED to June 11, 2019 at 1:30 pm. as a holding date pending approval of the motion for final decree filed March 13, 2019 [Dk. 330]

Appearances are excused.

Tentative for 11/27/18:

The Court has received and reviewed the report filed November 2, 2018 [Dk. 324], as well as the Amended report filed November 1, 2018 [Dk. 323] and notes that both the current report and the prior report [Dk. 318] include a statement that estimates the final payment will be made in October 2018; the current report, however, is silent as to whether the final payment was in fact made. The Court will waive the issue but cautions that future reports must specifically advise the Court as to when Debtors anticipate completion and when the Court can expect the filing of a motion for final decree.

A continued status conference will be held on March 19, 2019 at 1:30 p.m.

Appearances are excused.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

1:30 PM

CONT... Salvador Rivera and Teresa Rivera

Chapter 11

Tentative for 7/31/18:

The Court has received and reviewed the report filed July 17, 2018 [Dk. 318] and will CONTINUE this matter to November 27, 2018 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Salvador Rivera

Represented By
Andrew H Griffin III

Joint Debtor(s):

Teresa Rivera

Represented By
Andrew H Griffin III

United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar

Tuesday, March 19, 2019

Hearing Room 126

1:30 PM

6:17-15979 Shawn Maceo Rife and Shayne Morgan Rife

Chapter 11

#13.00

Hrg. on Post Confirmation Status Conference

EH_____

(Cont. from 11/27/18)

Docket 66

*** VACATED *** REASON: Order granting reorganized Debtors'
Motion to Administratively close individual chapter 11 case entered on 3/7/19
- jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shawn Maceo Rife

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Shayne Morgan Rife

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

1:30 PM

6:18-12748 CompCare Medical, Inc.

Chapter 11

#14.00

Hrg. on Chapter 11 Status Conference

(Cont. from 12/18/18)

EH_____

(Tele. appr. Najah Shariff, rep. creditor, United States of America)

Docket 1

Tentative Ruling:

Tentative for 3/19/19:

The Court has received and reviewed the status report filed March 5, 2019 [Dk. 155] and the operating report filed March 6, 2019 [Dk. 156], and based on the information provided, will CONTINUE this status conference to July 16, 2019 at 1:30 p.m.

Debtor is to submit a status report 14 days in advance which complies with the requirements articulated in the confirmation order dated October 2, 2018 [Dk. 129], which remains operative, and which includes providing information about accrued expenses, income and plan payments. Debtor is to continue timely filing all MORs. If the Court finds that Debtor has not made its required plan payments, or has otherwise not complied with the October 2, 2018 order, the Court may convert or dismiss the case at the continued status conference.

Appearances are excused.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

1:30 PM

CONT... CompCare Medical, Inc.

Chapter 11

Tentative for 12/18/18 is to CONTINUE to March 19, 2019 at 1:30 p.m.

The Court notes that (1) Debtor provided little to no information about accrued expenses as required by the October 2, 2018 [Dk. 129] order; and (2) that the MOR filed December 13, 2018 [Dk. 151] indicates Debtor operated at a loss for November; however, Debtor apparently had sufficient cash reserves to ensure that all plan payments and operating expenses were made.

For the continued status conference, Debtor is to submit a status report 14 days in advance which complies with the requirements articulated in the confirmation order dated October 2, 2018 [Dk. 129], which remains operative, and which includes providing information about accrued expenses, income and plan payments. Debtor is to continue timely filing all MORs. If the Court finds that Debtor has not made its required plan payments, or has otherwise not complied with the October 2, 2018 order, the Court may convert or dismiss the case at the continued status conference.

Appearances are excused.

Party Information

Debtor(s):

CompCare Medical, Inc.

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

1:30 PM

6:17-15749 Foster Enterprises, a California general partnersh

Chapter 7

#15.00

Hrg. on chapter 7 trustee's motion filed 3/6/19 (1) Approving sale of estate property, subject to overbid pursuant to 11 U.S.C. §363; (2) Authorizing sale free and clear of all liens ,claims and encumbrances pursuant to 11 U.S.C. §§363(b) (1) and (f); (3) Approving surcharge of collateral pursuant to 11 U.S.C. §506(c); and (4) Determining the priority of distribution of IRS tax lien as subordinated to administrative expenses

EH_____

(Tele. appr. Greg Jones, rep. Debtor, Foster Enterprises)

(Tele. appr. Jolene Tanner, rep. creditor, U.S.A.)

Docket 440

Tentative Ruling:

Tentative for 3/19/19:

This matter was heard on shortened time at the request of the Chapter 7 Trustee, who seeks approval to (1) sell personal property of the corporate debtor for \$75,000 free and clear of the IRS lien and (2) surcharge the IRS lien. Trustee's counsel should appear in Courtroom 5C in Santa Ana and be prepared to address the arguments raised in the opposition filed by the IRS on 3/18/19 [Dk. 450].

Appearances required.

Party Information

Debtor(s):

Foster Enterprises, a California

Represented By
Dean G Rallis Jr
Matthew D Pham
Gregory K Jones

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

1:30 PM

CONT... Foster Enterprises, a California general partnersh

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 19, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#16.00

Hrg. on Debtor's Motion filed 8/8/18 to Use Cash Collateral

(Cont. from 3/5/19)

EH_____

Docket 5

***** VACATED *** REASON: Continued to 4/2/19 at 1:30 pm, per order entered on 3/15/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Illyssa I Fogel

Movant(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 20, 2019

Hearing Room 126

10:00 AM

6:16-21137 Carroll Ann Vandre

Chapter 7

Adv#: 6:18-01230 Whitmore v. Scott et al

#1.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against Darbie Vandre Scott, Carroll Ann Vandre. (Charge To Estate). (\$350.00) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other))

EH_____

(Cont. from 2/6/19)

Docket 1

***** VACATED *** REASON: Cont. to the 1:30 p.m. calendar - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Caroll Ann Vandre

Represented By
Gene P Killian

Defendant(s):

Darbie Vandre Scott

Pro Se

Caroll Ann Vandre

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Douglas A Plazak

Trustee(s):

Robert Whitmore (TR)

Represented By
Douglas A Plazak

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 20, 2019

Hearing Room 126

1:30 PM

6:16-21137 Carroll Ann Vandre

Chapter 7

Adv#: 6:18-01230 Whitmore v. Scott et al

#5.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against Darbie Vandre Scott, Carroll Ann Vandre -Recovery of money/property - 548 fraudulent transfer

EH_____

(Cont. from 2/6/19)

Docket 1

Tentative Ruling:

Tentative for 3/20/19:

This matter is CONTINUED to June 12, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Caroll Ann Vandre

Represented By
Gene P Killian

Defendant(s):

Darbie Vandre Scott

Pro Se

Caroll Ann Vandre

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Douglas A Plazak

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 20, 2019

Hearing Room 126

1:30 PM

CONT... Carroll Ann Vandre

Chapter 7

Trustee(s):

Robert Whitmore (TR)

Represented By
Douglas A Plazak

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 20, 2019

Hearing Room 126

1:30 PM

6:17-16546 Angela Denise Peterson
Adv#: 6:18-01108 Daff v. Velasquez

Chapter 7

#6.00

PRE-TRIAL CONFERENCE re: Complaint by Charles W. Daff against Linda D. Velasquez for: 1) Avoidance and Recovery of Constructive Fraudulent Transfer; 2) Disallowance of Claims; 3) Unjust Enrichment; 4) Declaratory Relief; and 5) Sale of Property Under 11 U.S.C. Sections 363(h), 548, 542

EH_____

Docket 1

***** VACATED *** REASON: NOTICE OF VOLUNTARY DISMISSAL
FILED 8/27/18**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Angela Denise Peterson	Pro Se
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Defendant(s):

Linda D. Velasquez	Represented By Charity J Manee
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Joint Debtor(s):

James Patrick Peterson	Pro Se
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Plaintiff(s):

Charles W. Daff	Represented By Melissa Davis Lowe
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Trustee(s):

Charles W Daff (TR)	Represented By Lynda T Bui Melissa Davis Lowe
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 20, 2019

Hearing Room 126

1:30 PM

CONT... Angela Denise Peterson

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 20, 2019

Hearing Room 126

1:30 PM

6:17-19913 Thomas John Forrest

Chapter 7

Adv#: 6:18-01197 Simons (TR) v. Forrest et al

#7.00

STATUS CONFERENCE re: Complaint by Larry D. Simons (TR) against Sarah E. Forrest, Marcos Garcia - 547, 548 and Injunctive relief and Declaratory judgment

(Cont. from 12/19/18)

Docket 1

*** VACATED *** REASON: Judgment entered on 2/8/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Thomas John Forrest

Represented By
Jacqueline D Serrao

Defendant(s):

Sarah E. Forrest

Pro Se

Marcos Garcia

Pro Se

Plaintiff(s):

Larry D. Simons (TR)

Represented By
Wesley H Avery

Trustee(s):

Larry D Simons (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 20, 2019

Hearing Room 126

1:30 PM

6:18-10058 Lisa M Garcia

Chapter 7

Adv#: 6:18-01065 Fawzy v. Garcia

#8.00

PRE-TRIAL CONFERENCE Re: Complaint by Sameh Fawzy against Lisa M. Garcia - 523(a)(2), 523(a)(6).

(Cont. from 7/18/18)

EH_____

Docket 1

Tentative Ruling:

Tentative for 3/20/19:

The Court is inclined to set a trial date of July 30, 2019 at 10:00 a.m. All motions in limine must be filed and self-calendared so that they are heard and resolved by no later than July 3, 2019.

Appearances are required.

Tentative for 8/01/18 is to set the following dates/deadlines:

1. Discovery cutoff: November 30, 2018 Note: this date includes the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: January 15, 2019. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
4. Pretrial conference: March 20, 2019 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of sanctions, including the

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 20, 2019

Hearing Room 126

1:30 PM

CONT... Lisa M Garcia

Chapter 7

striking of the answer and dismissal of the complaint.

Tentative for 5/30/18:

The Court has received and reviewed the Joint Status Report filed on 5/16/18 [Dk. 5]. In light of the parties' agreement to postpone discovery pending resolution of Plaintiff's Motion for Summary Judgment, the Court is inclined to set a continued status conference for July 18, 2018 at 10:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of sanctions, including the striking of the answer and dismissal of the complaint.

Appearances required.

Party Information

Debtor(s):

Lisa M Garcia

Represented By
Stephen R Wade
David N LeGrande

Defendant(s):

Lisa M. Garcia

Represented By
Stephen R Wade

Plaintiff(s):

Sameh Fawzy

Represented By
Christopher O Rivas

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 20, 2019

Hearing Room 126

1:30 PM

CONT... Lisa M Garcia

Chapter 7

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, March 20, 2019

Hearing Room 126

1:30 PM

6:13-28836 Ann Lighthall Marshall

Chapter 7

Adv#: 6:19-01010 Pringle v. Marshall et al

#9.00

Hrg. on Plaintiff's Motion filed 2/21/19 for Default Judgment

EH_____

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ann Lighthall Marshall

Represented By
Karen E Lockhart

Defendant(s):

Ann Lighthall Marshall

Pro Se

Ann Lighthall Marshall

Pro Se

William S. Manley

Pro Se

William S. Manley

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Patricia Miller
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, March 20, 2019

Hearing Room 5C

10:00 AM

8:18-13252 Manraj Singh

Chapter 7

Adv#: 8:18-01215 Saunders v. Singh

#0.01

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Determination That Debt Is Non-Dischargeable Pursuant To 11 U.S.C. Section 523(a) (Complaint filed 12/3/18)

FR: 2-27-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING STIPULATION TO RESOLVE AND DISMISS ADVERSARY PROCEEDING ENTERED 3-13-19 - (DOCKET NO. [13])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Manraj Singh

Represented By
Kevin J Kunde

Defendant(s):

Manraj Singh

Pro Se

Plaintiff(s):

Cristina Saunders

Represented By
Jerrold L Bregman

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, March 20, 2019

Hearing Room 5C

10:00 AM

8:17-12887 Dana Kim Shelton

Chapter 7

Adv#: 8:18-01006 Richard A. Marshack, Chapter 7 Trustee, v. Larson et al

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Status Of Appeal RE: Complaint:
(1) To Determine The Validity, Priority, And Extent Of Liens;
(2) Objecting To Daniel Keith Larson And Erin Ellen Larson [Claim No. 3] Filed On
December 21, 2017;
(3) To Surcharge Lienholders For The Expenses Necessary To Preserve Collateral
Securing Their Claims; And
(4) Damages For Violations Of Section 807 Of The FDCPA, 15 U.S.C. Section
1692e

[STATUS CONFERENCE AS TO PETER KOTE ONLY]

(Complaint filed 1/9/18) (PTC set at S/C held 3/8/18)

(S/C set per Order Entered 10-9-18)

FR: Advanced from 4-18-18; 9-19-18; 12-5-18; 2-20-19; 2-27-19

[Tele. appr., Daniel Larson, repr., Daniel Larson]

Docket 1

Tentative Ruling:

Tentative for 3/20/19:

This matter is CONTINUED to May 15, 2019, at 10:00 a.m., as a holding date to allow entry of an order on the Motion to Approve Settlement between Trustee and defendant Bank of America, and to allow resolution of any issues related to the appeal of the Order Approving Settlement between Trustee and Peter Kote.

If all appeals have not been completed and the case has not been dismissed, a status report is due 14 days in advance.

Appearances are excused.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, March 20, 2019

Hearing Room 5C

10:00 AM

CONT... Dana Kim Shelton

Chapter 7

Debtor(s):

Dana Kim Shelton

Represented By
Christopher P Walker

Defendant(s):

Daniel Keith Larson

Pro Se

Erin Ellen Larson

Pro Se

Peter Kote

Pro Se

BANK OF AMERICA, N.A

Pro Se

Plaintiff(s):

Richard A. Marshack, Chapter 7

Represented By
Misty A Perry Isaacson

Trustee(s):

Richard A Marshack (TR)

Represented By
Misty A Perry Isaacson

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, March 20, 2019

Hearing Room 5C

10:00 AM

8:17-12887 Dana Kim Shelton

Chapter 7

Adv#: 8:18-01006 Richard A. Marshack, Chapter 7 Trustee, v. Larson et al

#3.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint As To Defendant Bank Of America
(1) To Determine The Validity, Priority, And Extent Of Liens;
(2) Objecting To Daniel Keith Larson And Erin Ellen Larson [Claim No. 3] Filed On December 21, 2017;
(3) To Surcharge Lienholders For The Expenses Necessary To Preserve Collateral Securing Their Claims; And
(4) Damages For Violations Of Section 807 Of The FDCPA, 15 U.S.C. Section 1692e
[PRE-TRIAL AS TO DEFENDANT BANK OF AMERICA ONLY]
(Complaint filed 1/9/18) (PTC set at S/C held 3/8/18)

FR: Advanced from 4-18-18; 9-19-18; 12-5-18; 2-20-19; 2-27-19

[Tele. appr., Daniel Larson, repr., Daniel Larson]

Docket 1

Tentative Ruling:

Tentative for 3/20/19:

In light of the settlement with Bank of America, the pretrial is converted to a status conference and is consolidated with the status conference as to Peter Kote.

Appearances are excused.

Party Information

Debtor(s):

Dana Kim Shelton

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, March 20, 2019

Hearing Room 5C

10:00 AM

CONT... Dana Kim Shelton

Chapter 7

Defendant(s):

Daniel Keith Larson	Pro Se
Erin Ellen Larson	Pro Se
Peter Kote	Pro Se
BANK OF AMERICA, N.A	Pro Se

Plaintiff(s):

Richard A. Marshack, Chapter 7	Represented By Misty A Perry Isaacson
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Trustee(s):

Richard A Marshack (TR)	Represented By Misty A Perry Isaacson
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, March 20, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#3.10

Hearing RE: Chapter 11 Trustee's Motion For Order: (1) Approving Global Compromise Between Debtor, The Trustee, And Creditor Agroindustrial Valle Frio S.A.; (2) Approving Post-Petition Financing To Fund Global Settlement; (3) Authorization To Obtain Customs Bond
(Motion filed 3/12/19)
(OST Entered 3/12/19)

Docket 137

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

Trustee(s):

Howard B Grobstein (TR)

Represented By
David Wood

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, March 20, 2019

Hearing Room 5C

11:00 AM

8:17-11114 Bradley B Mugar

Chapter 7

Adv#: 8:17-01108 Marshack v. Mugar et al

#4.00

PRE-TRIAL CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Debt And/Or To Deny A Discharge
(Complaint filed 6/26/17)
(set per Order Entered 8/15/18)

Docket 1

***** VACATED *** REASON: CONTINUED TO MAY 15, 2019 AT 11:00
A.M. PER ORDER CONTINUING HEARINGS ENTERED 2-15-19 -
(DOCKET NO. [83])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bradley B Mugar

Represented By
Parisa Fishback
John Edwards

Defendant(s):

Bradley B Mugar

Represented By
John Edwards

Sandra Mugar

Represented By
John Edwards

Joint Debtor(s):

Susan E Mugar

Represented By
Parisa Fishback
John Edwards

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, March 20, 2019

Hearing Room 5C

11:00 AM

CONT... Bradley B Mugar

Chapter 7

Plaintiff(s):

Richard A. Marshack

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael G Spector

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, March 20, 2019

Hearing Room 5C

11:00 AM

8:18-11615 Kimberly Autumn Lawson

Chapter 7

#4.10

Hearing RE: Motion To Compel Trustee To Abandon Real Property Located At 71 Circle Court, Mission Viejo, CA 92692 Pursuant To 11 U.S.C. Section 544(b) (Motion filed 2/20/19)

Docket 29

Tentative Ruling:

Tentative for 3/20/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Kimberly Autumn Lawson

Represented By
Andrew S Bisom

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, March 20, 2019

Hearing Room 5C

11:00 AM

8:17-12887 Dana Kim Shelton

Chapter 7

#4.20

Hearing RE: Chapter 7 Trustee's Motion To Approve Compromise With Bank Of America
(Motion filed 2/20/19)
(Set per Notice of Hearing filed 3/5/19)

[Tele. appr., Daniel Larson, repr., Daniel Larson]

Docket 175

Tentative Ruling:

Tentative for 3/20/19:

Trustee should be prepared to address the following questions/ concerns:

The Motion describes the agreement between the Trustee and Bank of America; is there a written agreement?

The Trustee proposes to pay Bank of America \$30,000 upon approval of this agreement. However, no representations have been made regarding: (1) whether the first priority lienholders have been paid pursuant to their respective settlement agreements; (2) whether there are sufficient funds to pay the agreed \$30,000 to Bank of America after the first priority lienholders have been paid in full pursuant to their respective settlement agreements; and (3) what, if any, effect does the status of the appeal of the Kote Settlement have on this proceeding?

The Court has reviewed District Court Judge Fitzgerald's ruling regarding the standing of Daniel Larson with respect to this case. The Court would appreciate discussion of both Mr. Larson's standing and the merits of his objections.

Appearances required.

Party Information

Debtor(s):

Dana Kim Shelton

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, March 20, 2019

Hearing Room 5C

11:00 AM

CONT... Dana Kim Shelton

Christopher P Walker

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
Misty A Perry Isaacson

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, March 21, 2019

Hearing Room 126

1:30 PM

6:17-19913 Thomas John Forrest

Chapter 7

Adv#: 6:18-01197 Simons (TR) v. Forrest et al

#8.00

STATUS CONFERENCE re: Complaint by Larry D. Simons (TR) against Sarah E. Forrest, Marcos Garcia - 547, 548 and Injunctive relief and Declaratory judgment

(Cont. from 12/19/18)

Docket 1

***** VACATED *** REASON: Advance to 3/20/19 calendar - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Thomas John Forrest

Represented By
Jacqueline D Serrao

Defendant(s):

Sarah E. Forrest

Pro Se

Marcos Garcia

Pro Se

Plaintiff(s):

Larry D. Simons (TR)

Represented By
Wesley H Avery

Trustee(s):

Larry D Simons (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 21, 2019

Hearing Room 5C

10:00 AM

8:18-13588 Tim M. McKenna

Chapter 7

#1.00

CONT'D Hearing RE: Motion For Relief From The Automatic Stay To Permit Setoff
And Application Of Deposit Account Funds
(Motion filed 11/29/18)
(Amended Motion filed 2/7/19)

FR: 12-20-18; 1-24-19

Docket 29

***** VACATED *** REASON: CONTINUED TO MAY 2, 2019 AT 10:00
A.M. PER ORDER APPROVING STIPULATION TO CONTINUE
HEARING ENTERED 3-18-19 - (DOCKET NO. [114])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tim M. McKenna

Represented By
Michael G Spector

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 21, 2019

Hearing Room 5C

10:00 AM

8:19-10153 Thomas Joseph Lynch, JR

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

Toyota Motor Credit Corporation, Servicing Agent For Toyota Lease Trust vs.
DEBTOR
(Motion filed 2/12/19)

[RE: 2018 Toyota Camry - VIN No.: JTNB11HK2J3068359]

[Tele. appr., Austin P. Nagel, repr., Toyota Motor Credit Corporation]

Docket 11

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Thomas Joseph Lynch JR

Represented By
Patrick OKennedy

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 21, 2019

Hearing Room 5C

11:00 AM

8:19-10710 MyTailor.com

Chapter 11

#2.10

Hearing RE: Debtor's Emergency Motion For Order Authorizing Payment And Honoring Of Pre-Petition Payroll Obligations
(Motion filed 3/8/19)

Docket 11

Tentative Ruling:

Tentative for 3/21/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

MyTailor.com

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 21, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#3.00

Hearing RE: Confirmation Of Joint Chapter 11 Plan Of Liquidation Of CA Express Fund, LLC, And WJA Express Fund, LLC
(Set Per D.S. Hearing Held 1/10/19)

FR: 1/10/19

Docket 741

Tentative Ruling:

Tentative for 3/21/19 is to approve confirmation as the requirements of §1129 have been met.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall

Robert S Marticello

Michael Simon

Philip E Strok

Kyra E Andrassy

Roger F Friedman

Susan K Sefflin

Steven T Gubner

Corey R Weber

Michael W Davis

Kathy Bazoian Phelps

Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 21, 2019

Hearing Room 5C

11:00 AM

8:17-12753 David Vincent Ross and Cheri LeAnn Ross

Chapter 11

#4.00

CONT'D Hearing RE: Motion For Order To Reinstate Wilco Life Insurance Company (Formerly Conseco Life Insurance Company) Policy Pursuant to Debtors' Confirmed Chapter 11 Plan (Motion filed 12/28/18)

FR: 2-7-19

Docket 198

***** VACATED *** REASON: CONTINUED TO MAY 2, 2019 AT 11:00 A.M. PER JOINT STIPULATION TO CONTINUE HEARING ENTERED 3 -20-19 - (DOCKET NO. [210])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Vincent Ross

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Cheri LeAnn Ross

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 21, 2019

Hearing Room 5C

11:00 AM

8:18-12720 Tina Hong-Ngoc Trinh

Chapter 11

#5.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 7/24/18)

FR: 9-13-18; 9-20-18; 12-20-18

Docket 1

Tentative Ruling:

Tentative for 3/21/19:

The Court has received and reviewed the status report filed on March 6, 2019 [Dk. 45]. The Status Conference is CONTINUED to April 19, 2019 at 11:00 a.m. to coincide with the hearing on the Disclosure Statement filed on February 19, 2019, [Dk. 42]. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 12/20/18:

The Court has received and reviewed the status report filed on December 5, 2018 [Dk. 36]. The Status Conference is CONTINUED to March 21, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 9/20/18 is to set the dates/deadlines, as follows:

1. Deadline to file a plan and disclosure statement - November 30, 2018.
2. Continued status conference - December 20, 2018 at 11:00 a.m.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 21, 2019

Hearing Room 5C

11:00 AM

CONT... Tina Hong-Ngoc Trinh

Chapter 11

A status report is due 14 days in advance.

3. Bar Date: December 15, 2018, with service by no later than September 30, 2018.

Debtor is to submit a scheduling order within seven (7) days.

Party Information

Debtor(s):

Tina Hong-Ngoc Trinh

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 21, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 11

#6.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Brooks T. Morgan, Debtor In Possession
(Motion filed 2/13/19)

**[RE: Case Name: Joanna N. Lopez, et al. v. Brooks T. Morgan]
[Docket Number: G057063 & G055964 & G056018]
[Pending In: California Court Of Appeal, Fourth Appellant District, Division
Three]**

Docket 73

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 21, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 11

Adv#: 8:19-01002 Morgan v. Lopez et al

#7.00

STATUS CONFERENCE Hearing RE: Complaint For:
(1) Preliminary And Permanent Injunction Barring Creditors From Taking Action
Against State Court Codefendants Pursuant To 11 U.S.C. Section 105; And
(2) To Avoid Transfer Of An Interest In Real Property;
Verification Of Brooks T Morgan
(Complaint filed 1/3/19)

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Defendant(s):

Joanna N Lopez

Pro Se

Maria Arellano

Pro Se

Plaintiff(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 21, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 11

#7.10

Hearing RE: Order Requiring Debtor To Appear And Show Cause Why This Case Should Not Be Dismissed Or Converted Or Alternatively, Why A Chapter 11 Trustee Should Not Be Appointed
(Set per Order Entered 3/7/19)

Docket 106

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 21, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 11

#7.20

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 10/4/18) (Case Converted on 12/4/18)

FR: 1-24-19; 3-7-19

Docket 0

Tentative Ruling:

Tentative for 3/21/19:

Appearances required.

Tentative for 3/07/19:

Debtor shall file a disclosure statement and plan by May 1, 2019. The disclosure statement hearing shall be held on June 13, 2019 at 11:00 a.m.

A continued status conference shall be held on June 13, 2019 at 11:00 a.m. with a status report due 14 days in advance.

Appearances required.

Tentative for 1/24/19 is to set the following dates/deadlines:

1. Deadline for filing a plan and disclosure statement: May 1, 2019. Note: the failure to timely file a plan and disclosure statement may result in the conversion or dismissal of the case.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, March 21, 2019

Hearing Room 5C

11:00 AM

CONT... Brooks T Morgan Chapter 11

2. Continued status conference: June 13, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, March 26, 2019

Hearing Room 126

9:30 AM

6:17-17237 Gabriela Rodriguez

Chapter 7

Adv#: 6:17-01253 Zamora et al v. Rodriguez

#1.00

TRIAL re: Complaint by Hilda H Zamora, Caronna, Johnson & Zamora, LLP
against Gabriella Rodriguez - 523(a)(5), (a)(15)

EH_____

(Cont. from 12/19/18)

Docket 1

***** VACATED *** REASON: Cont. to 4/23/19 @ 9:30 a.m. - jc**

Party Information

Debtor(s):

Gabriela Rodriguez

Represented By
Edgar P Lombera

Defendant(s):

Gabriella Rodriguez

Pro Se

Plaintiff(s):

Hilda H Zamora

Represented By
Leonard J Cravens

Caronna, Johnson & Zamora, LLP

Represented By
Leonard J Cravens

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 2, 2019

Hearing Room 126

10:00 AM

6:19-10614 Myra Milagros Davila

Chapter 7

#1.00

Sissac Legal Group P.C. - movant attorney

Motion for Relief from Stay

BMW Bank of North America vs. DEBTOR
(Motion filed 2/25/19)

Re: 2012 BMW 5 Series 528i Sedan 4D

Docket 11

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Myra Milagros Davila

Pro Se

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 2, 2019

Hearing Room 126

10:00 AM

6:19-11334 Grace Hyunjung Lee

Chapter 7

#2.00

Law Offices of Vincent V. Frounjian, P.C. - movant attorney

Motion for Relief from Stay

Honda Lease Trust vs. DEBTOR, Robert Whitmore, chapter 7 trustee
(Motion filed 3/8/19)

Re: 2018 ACURA RDX, VIN: 5J8T B3H3 4JL0 13732

EH_____

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Grace Hyunjung Lee

Represented By
Raymond J Seo

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 2, 2019

Hearing Room 126

10:00 AM

6:19-11910 Sandra Escobedo Pena

Chapter 7

#2.10

Law Offices of Lionel E. Giron - movant attorney

Motion in Individual case for Order imposing a stay or continuing the automatic stay as the court deems appropriate

Re: 2015 Chevrolet Truck Trax

Docket 7

Tentative Ruling:

Tentative for 4/02/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Sandra Escobedo Pena

Represented By
Lionel E Giron

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 2, 2019

Hearing Room 126

11:00 AM

6:17-11216 Ronald A. Corti and Lisa D. Corti

Chapter 7

#3.00

Hrg. on approval of trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative 4/02/19 is to APPROVE as requested, except that \$630.00 in fees by The Law Offices of Hydee J. Riggs related to its employment application are disallowed.

The "preparation of an application for employment of a professional is a duty generally performed by a trustee without the assistance of an attorney." See *In re Garcia*, 335 B.R. 717, 725 (B.A.P. 9th Cir. 2005) (where BAP affirmed the denial of fees related to trustee's counsel's employment application in Chapter 7 case, where counsel was retained to negotiate an equity buy back and sell property of the estate). The Applicant has not demonstrated that the employment application was not routine, which remains a trustee duty. *Id.*

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ronald A. Corti

Represented By
Thomas J Polis

Joint Debtor(s):

Lisa D. Corti

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 2, 2019

Hearing Room 126

11:00 AM

CONT... Ronald A. Corti and Lisa D. Corti

Chapter 7

Thomas J Polis

Trustee(s):

Robert Whitmore (TR)

Represented By
Hydee J Riggs

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 2, 2019

Hearing Room 126

11:00 AM

6:17-17490 Charles Robert De Lorey and Janelle Dee De Lorey

Chapter 7

#4.00

Hrg. on approval of trustee's final report and application for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 4/02/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Charles Robert De Lorey	Pro Se
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Joint Debtor(s):

Janelle Dee De Lorey	Pro Se
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Trustee(s):

John P Pringle (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 2, 2019

Hearing Room 126

11:00 AM

6:18-14508 Jesus Michael Rodriguez

Chapter 7

#5.00

Hrg. on chapter 7 trustee's Motion filed 3/6/19 for Order (1) Approving Sale of Real Property and Bidding Procedures; (2) Approving Sale Free & Clear of Liens; (3) Finding Buyer a Good Faith Purchaser; (4) Authorizing Payment of real Estate Agent's Commission; (5) Requiring Turnover of the Property to Trustee; and (6) Waiving 14-Day Stay of Rule 6004(h)

EH _____

Docket 38

***** VACATED *** REASON: Notice of withdrawal filed on 3/13/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jesus Michael Rodriguez

Pro Se

Trustee(s):

Karl T Anderson (TR)

Represented By
Robert P Goe
Goe & Forsythe LLP

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 2, 2019

Hearing Room 126

11:00 AM

6:18-18793 Oscar Sanchez

Chapter 7

#6.00

Hrg. on chapter 7 trustee's Motion filed 1/30/19 for Order Compelling Turnover of Estate Property and Documents

(Cont. from 3/5/19)

EH_____

Docket 39

***** VACATED *** REASON: Cont. to 5/14/19 @ 11:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Oscar Sanchez

Pro Se

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 225 Calendar**

Tuesday, April 2, 2019

Hearing Room 225

11:00 AM

6:19-10800 Michael Lloyd Shuey and Sheryl Ann Shuey

Chapter 7

#7.00

Hrg. on Motion for Redemption of 2016 Chevrolet Cruze under 11 U.S.C. 722

EH __

Docket 9

***** VACATED *** REASON: Notice of Voluntary Dismissal of Motion
filed 3/28/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Lloyd Shuey

Represented By
Michael E Clark

Joint Debtor(s):

Sheryl Ann Shuey

Represented By
Michael E Clark

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 2, 2019

Hearing Room 126

11:00 AM

6:19-11206 Sudweeks Commercial Inc a California Corporation

Chapter 7

#8.00

Hrg. on Involuntary chapter 7 Status Conference

EH ____

Docket 0

***** VACATED *** REASON: Case Dismissed 3/22/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sudweeks Commercial Inc a

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 2, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#9.00

Hrg. on Disclosure Statement

EH_____

Docket 0

Tentative Ruling:

Tentative for 4/02/19:

Appearances required.

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes

Peter W Lianides

Alastair M Gesmundo

Robert E Opera

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 2, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#10.00

Hrg. on Debtor's Motion filed 8/8/18 to Use Cash Collateral

(Cont. from 3/19/19)

EH_____

Docket 5

***** VACATED *** REASON: Cont. to 5/14/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Illyssa I Fogel

Movant(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, April 3, 2019

Hearing Room 126

10:00 AM

6:18-19794 Tajaree R. Bonds

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and American Honda Finance Corporation, in the amount of \$17,791.82

Re: 2018 Honda Civic

Docket 11

***** VACATED *** REASON: Withdrawal of Reaffirmation agreement
filed 2/21/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tajaree R. Bonds

Represented By
Patricia M Ashcraft

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, April 3, 2019

Hearing Room 126

10:00 AM

6:18-20112 Kathleen Mary McCormick

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement filed 2/22/19 Between Debtor and Wells Fargo Auto, in the amount of \$6,521.80

Re: 2014 Dodge Journey

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kathleen Mary McCormick

Represented By
Michael E Clark

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, April 3, 2019

Hearing Room 126

10:00 AM

6:18-20355 Terra Prestee Robinson-Jones

Chapter 7

#2.10

Hrg. on approval of Reaffirmation Agreement Between Debtor and Kinecta Federal Credit Union, in the amount of \$ 4,000.00

Re: Overdraft Line of Credit

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Terra Prestee Robinson-Jones

Represented By
Daniel King

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, April 3, 2019

Hearing Room 126

1:30 PM

6:13-28836 Ann Lighthall Marshall

Chapter 7

Adv#: 6:19-01010 Pringle v. Marshall et al

#14.00

STATUS CONFERENCE re: Complaint by John P. Pringle against Ann Lighthall Marshall, Ann Lighthall Marshall, William S. Manley, William S. Manley. (Charge To Estate). \$350.00 Nature of Suit: (14 (Recovery of money/property - other))

EH_____

Docket 1

***** VACATED *** REASON: Default Judgment approved on 3/20/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ann Lighthall Marshall

Represented By
Karen E Lockhart

Defendant(s):

Ann Lighthall Marshall

Pro Se

Ann Lighthall Marshall

Pro Se

William S. Manley

Pro Se

William S. Manley

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Patricia Miller
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

8:13-12153 DRI Companies

Chapter 7

#3.00

Hearing RE: Fourth And Final Application For Compensation And Reimbursement Of Expenses
(Application filed 3/5/19)

[RE: BLAKELEY LLP - Attorneys For The Official Committee Of Unsecured Creditors]

Fourth Application For The Period From June 30, 2014 Through October 28, 2014

[Fees: \$24,646.50; Expenses: \$137.12]

Final Application For The Period from April 10, 2013 Through October 28, 2014

[Fees: \$236,058.50; Expenses: \$2,132.49]

[Tele. appr., Judith Marshack, repr., Trustee, Richard A. Marshack]

Docket 1280

Tentative Ruling:

Tentative for 4/03/19 is to allow the fees and costs in the amount requested. However, payment shall be limited to the amounts set forth in the Trustee's Final Report, and is contingent upon approval of the Trustee's Final Report, which has not yet been filed.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

DRI Companies

Represented By
Todd C. Ringstad

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

CONT... DRI Companies

Chapter 7

Christopher Minier
Brian R Nelson

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
Chad V Haes
Kyra E Andrassy
Judith E Marshack
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

8:16-12539 Lilibeth Del Rosario and Aristotle Perlas Del Rosario

Chapter 7

#4.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses
(Trustee's Report filed 2/19/19)

**[RE: RICHARD A. MARSHACK - Chapter 7 Trustee]
[Fees: \$1,989.89; Expenses: \$72.48]**

**[RE: LAKE FOREST BANKRUPTCY - Attorney For Chapter 7 Trustee]
[Fees: \$5,730.00; Expenses: \$72.88]**

**[RE: HAHN, FIFE & COMPANY, LLP - Tax Preparer]
[Fees: \$1,000.00; Expenses: \$0.00]**

Docket 59

Tentative Ruling:

Tentative 4/319 is to APPROVE as requested, except that \$330 in fees by Anerio Altman of Lake Forest Bankruptcy related to employment applications are disallowed.

The "preparation of an application for employment of a professional is a duty generally performed by a trustee without the assistance of an attorney." See *In re Garcia*, 335 B.R. 717, 725 (B.A.P. 9th Cir. 2005) (where BAP affirmed the denial of fees related to trustee's counsel's employment application in Chapter 7 case, where counsel was retained to negotiate an equity buy back and sell property of the estate). The Applicant has not demonstrated that the employment applications were not routine, which remains a trustee duty. *Id.*

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

CONT... Lilibeth Del Rosario and Aristotle Perlas Del Rosario

Chapter 7

Party Information

Debtor(s):

Lilibeth Del Rosario

Represented By
Mark D Klein

Joint Debtor(s):

Aristotle Perlas Del Rosario

Represented By
Mark D Klein

Trustee(s):

Richard A Marshack (TR)

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

8:17-11085 Suzon Hashemi

Chapter 7

Adv#: 8:17-01110 Hashemi v. U.S. Department of Education et al

#5.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For:
Determination That Student Loan Debt Is Dischargeable Pursuant To 11 U.S.C.
Section 523(a)(8)

(Complaint filed 6/27/17) (Another Summons issued 7/14/17)

(PTC set at S/C held 10/18/17)

(S/C set per Order Entered 5-30-18)

(J.P. Morgan Chase Bank, N.A. - Dismissed - See docket no. [14])

**(Judgment Pursuant To Stipulation - U.S. Department of Education - See
docket No. [34])**

FR: 3-14-18; 5-30-18; 7-18-18; 2-6-19

Docket 48

***** VACATED *** REASON: OFF CALENDAR; ORDER APPROVING
STIPULATION ENTERED 2/5/19 (Docket No. [109])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Suzon Hashemi

Represented By
Christine A Kingston

Defendant(s):

U.S. Department of Education

Represented By
Elan S Levey

PNC Bank, N.A.

Pro Se

Deutsche Bank ELT Navient & SLM

Pro Se

Plaintiff(s):

Suzon Hashemi

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

CONT... Suzon Hashemi

Christine A Kingston

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

8:17-11114 Bradley B Mugar

Chapter 7

Adv#: 8:18-01186 Marshack v. Mugar

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Avoidance Of Fraudulent Transfer (11 U.S.C. Section 544(b); Cal. Civil Code Section 3439.04(a)(2);
(2) Avoidance Of Fraudulent Transfer (11 U.S.C. Section 544(b); Cal. Civil Code Section 3439.05);
(3) Recovery Of Avoided Transfers;
(4) Breach Of Contract; And
(5) Common Count-Money Lent
(Complaint filed 10/12/18)

FR: 1-23-19

Docket 1

***** VACATED *** REASON: CONTINUED TO JUNE 12, 2019 AT 11:00
A.M. PER ANOTHER SUMMONS ISSUED 3-15-19 - (DOCKET NO. [16])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bradley B Mugar

Represented By
Parisa Fishback
John Edwards

Defendant(s):

Ryan Mugar

Pro Se

Joint Debtor(s):

Susan E Mugar

Represented By
Parisa Fishback
John Edwards

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

CONT... Bradley B Mugar

Chapter 7

Plaintiff(s):

Richard A Marshack

Represented By
Michael G Spector

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael G Spector

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

8:17-11114 Bradley B Mugar

Chapter 7

Adv#: 8:17-01108 Marshack v. Mugar et al

#7.00

CONT'D Hearing RE: Motion For Summary Judgment Or, In The Alternative,
For Summary Adjudication Of Issues
(Motion filed 1/16/19)

FR: 2-27-19

Docket 75

Tentative Ruling:

Tentative for 4/3/19 is to DENY the Motion for Summary Judgment. While Debtors Bradley and Susan Mugar ("Debtors") have not filed an opposition that complies with the local rules, the Court has an independent duty to review motions for summary judgment. The Court has carefully reviewed and considered the Motion for Summary Judgment filed on January 16, 2019, [Dk. 75] ("Motion") by the Plaintiff Richard A. Marshack, Chapter 7 Trustee ("Movant"), and all documents filed in support of the Motion, including the Plaintiff's Separate Statement of Undisputed Facts and Conclusions of Law lodged on March 13, 2019, [see Notice of Lodgment, filed 3/13/19, Dk. 86], and the Statement from Bradley Mugar and Response to Motion for Summary Judgment, filed by Debtors on February 13, 2019 [Dk. 82]. The Court finds, as set forth below, that genuine issues of material fact exist with respect to each of the Plaintiff's claims.

Movant seeks summary judgment on each claim for relief in the Complaint.

First, Movant seeks to deny Debtors' discharge under § 727(a)(4)(A), alleging that Debtors made false statements under penalty of perjury by failing to list on their Schedule B their interests in certain watches, gemstones, jewelry, a loan receivable, and an account receivable. There is no issue of fact that Debtors did not list any of these items on their Schedule B. However, Movant has not established that there is no issue of fact as to whether Debtors knew these omissions were false (or even that all alleged omissions were false) and omitted these items from their Schedules with fraudulent intent, and not

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

CONT... **Bradley B Mugar**

Chapter 7

out of mere carelessness or recklessness. *See Roberts v. Erhard (In re Erhard)*, 331 B.R. 876, 882-84 (B.A.P. 9th Cir. 2005) (requiring a plaintiff bringing a claim under § 727(a)(4)(A) to demonstrate that "(1) the debtor made a false oath in connection with the case; (2) the oath related to a material fact; (3) the oath was made knowingly; and (4) the oath was made fraudulently," and holding that actual, rather than constructive fraudulent intent is required and neither recklessness nor carelessness satisfies the statutory requirement of "knowing" misconduct).

Second, Movant seeks to deny Debtors' discharge under § 727(a)(2)(B), alleging that Debtors concealed their interest in watches, gemstones, jewelry, a loan receivable, and an account receivable. Movant has not established that there is no issue of fact as to whether Debtors concealed these items with the subjective intent to hinder, delay, or defraud creditors. *See, e.g., In re Lawson*, 122 F.3d 1237, 1240 (9th Cir. 1997) (requiring plaintiff to demonstrate (1) a transfer or concealment of property occurred; and (2) that debtor had a subjective intent to hinder, delay, or defraud a creditor at the time the transfer or concealment of the property occurred).

Third, Movant seeks to deny Debtors' discharge under § 727(a)(3), alleging that Debtors have either concealed or failed to keep or preserve recorded information because Debtors were unable to produce an accounting of the first 25 watches, jewelry, and/or gemstones listed on their website and Ebay as ordered by this Court. However, while Debtors have acknowledged the lack of a concise and complete accounting, they have provided explanations for why they do not have full contemporaneous accountings and the difficulty they have had in recreating the requested accountings. Movant has not established that there is no issue of fact as to whether the failure to maintain adequate records has been satisfactorily explained by Debtors. *In re Lopez*, 532 B.R. 140, 150 (Bankr. C.D. Cal. 2015) ("To determine whether the failure was justified under the circumstances, the court should consider, among other factors it deems relevant, (1) Debtor's intelligence and educational background; (2) experience in business matters; (3) the extent of involvement in the businesses for which discharge is sought; (4) Debtors reliance, including her knowledge of whether records were being kept; (5) the nature of the marital relationship; and (6) any recordkeeping or inquiry duties imposed upon Debtor by state law.") (*citing In re Cox*, 904 F.2d 1399, 1403 n.5 (9th

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

CONT... Bradley B Mugar
Cir.1990)).

Chapter 7

Fourth, Movant seeks to deny Debtors' discharge under § 727(a)(5), alleging that Debtors have failed to adequately explain the loss of property because they were unable to provide an accounting of the first 25 watches, jewelry, and/or gemstones listed on their website and Ebay as ordered by this Court. However, while Debtors have had difficulty accounting for the acquisition and disposition of property and funds related to the online jewelry sales, this Court has never made any finding regarding whether Debtors have satisfactorily explained the loss of assets. To the extent Movant relies on the Order finding Debtors in contempt for failure to comply with the Second Order to Compel [entered 10/9/18, Dk. 110; RJN Ex. 7] ("Contempt Order"), as evidence that Debtors have not satisfactorily explained the loss of assets, the Court emphasizes that the Contempt Order found only that Debtors had failed to comply with the Court's order, and made no findings whatsoever regarding whether Debtors had satisfactorily explained any loss of assets for the purposes of § 727(a)(5). Thus, Movant has not established that there is no issue of fact as to whether the Debtors have provided a satisfactory explanation for the loss of assets. See *In re Retz*, 606 F.3d 1189, 1205 (9th Cir. 2010) ("Under § 727(a)(5) an objecting party bears the initial burden of proof and must demonstrate: (1) debtor at one time, not too remote from the bankruptcy petition date, owned identifiable assets; (2) on the date the bankruptcy petition was filed or order of relief granted, the debtor no longer owned the assets; and (3) the bankruptcy pleadings or statement of affairs do not reflect an adequate explanation for the disposition of the assets. . . . Whether a debtor has satisfactorily explained a loss of assets is a question of fact for the bankruptcy court, overturned only for clear error.").

Fifth, Movant seeks to deny Debtor's discharge under § 727(a)(6)(A), alleging that Debtors did not comply with the Court's Order to Compel and Second Order to Compel, that Debtors' failure to comply with the two Orders was willful, and that Debtors do not have a justifiable excuse for failing to comply with either Order. While it appears to be clear that Debtors did not fully comply with either Order, it is not clear that the failure to comply was willful and without a justifiable excuse. To the extent Movant relies on the Contempt Order as evidence supporting this claim, the Court emphasizes that the Contempt Order found only that Debtors had failed to comply with the Court's

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room

5C

11:00 AM

CONT...

Bradley B Mugar

Chapter 7

order, and made no findings whatsoever regarding willfulness or whether a justifiable excuse existed. Thus, Movant has not established that there is no issue of fact as to whether the failure to comply with an order of this Court was willful and without a justifiable excuse. See *Gillman v. Green (In re Green)*, 335 B.R. 181, 183 (Bankr.D.Utah 2005) (requiring a plaintiff bringing a claim under § 727(a)(6)(A) must prove by a preponderance of the evidence that "1) the Court issued an order directed at the debtor; 2) the order was lawful; 3) the order was not one requiring a response to a material question or to testify; and 4) the debtor refused to obey the order."); *In re Lebbos*, 439 B.R. 154, 164–65 (E.D. Cal. 2010), *aff'd*, 529 F. App'x 854 (9th Cir. 2013) ("[T]he Court must find that the Debtors' lack of compliance with the relevant court order was willful and intentional.") (citing *Smith v. Jordan (In re Jordan)*, 521 F.3d 430, 433–434 (4th Cir.2008); *In re Costantini*, 201 B.R. 312, 316 (Bankr. M.D. Fla. 1996) (directing courts to consider factors including the intent behind the debtor's acts, whether there was a justifiable excuse, whether any injury resulted to creditors, whether debtor could "make amends," whether there is detriment to the bankruptcy proceedings and the court's dignity, and the potential injury to the debtor if discharge is denied); *In re Matos*, 267 F. App'x 884 (11th Cir. 2008) (upholding the lower court's decision not to revoke discharge because debtors' tardy production of documents was not sufficient to demonstrate a willful or intentional refusal to follow the court's order and the plaintiff)).

Finally, with respect to all claims, the Court notes that each of Movant's allegations is against the "Debtors." However, Movant has provided no allegations specific to Susan Mugar, and has provided little, if any, evidence that Susan Mugar had the requisite knowledge or intent as to any of the alleged omissions, concealments, or business dealings to merit denial of her discharge under any of Movant's claims.

The Court has received and reviewed a written request by Debtor to continue the hearing on the Motion, however, there is no indication whether the request was filed or served.

Appearances are required.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

CONT... Bradley B Mugar

Chapter 7

Debtor(s):

Bradley B Mugar

Represented By
Parisa Fishback
John Edwards

Defendant(s):

Bradley B Mugar

Represented By
John Edwards

Sandra Mugar

Represented By
John Edwards

Joint Debtor(s):

Susan E Mugar

Represented By
Parisa Fishback
John Edwards

Plaintiff(s):

Richard A. Marshack

Represented By
Michael G Spector

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael G Spector

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01064 Marshack v. Castanon et al

#8.00

STATUS CONFERENCE Hearing RE: First Amended Complaint:

1. To Recover Unlawfu Dividends;
2. To Avoid And Recover Fraudulent Transfers Under 11 U.S.C. Sections 544(b) And 550 And California Civil Code Section 3439.04(a)(1);
3. To Avoid And Recover Pre-Petition Transfers Under 11 U.S.C. Sections 544(b) And 550 And California Civil Code Section 3439.04(a)(2);
4. To Avoid Pre-Petition Transfers Pursuant To 11 U.S.C. Sections 544(b) And California Civil Code Section 3439.05;
5. To Avoid Pre-Petition Transfers Pursuant To 11 U.S.C. Section 548(a)(1)(B)
6. To Avoid Pre-Petition Transfer Pursuant To 11 U.S.C. Section 549(a)
(First Amended Complaint filed 1/3/19)

Docket 0

***** VACATED *** REASON: CONTINUED TO MAY 15, 2019 AT 10:00
A.M. PER ANOTHER SUMMONS ISSUED FEBRUARY 15, 2019
(DOCKET NO. [33])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Michael Edward Castanon

Represented By
Rhonda Walker

BeachPointe Investments, Inc.

Pro Se

George Bawuah

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Jerry Bolnick	Pro Se
Jonathan Blau	Pro Se
Joseph Bolnick	Pro Se
Maria Castanon	Pro Se
Kenneth Miller	Pro Se
Peter Van Petten	Pro Se
Raymond Midley	Pro Se
Veronica Marfori	Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Sharon Oh-Kubisch

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

8:18-13531 Michael David Murphy

Chapter 7

Adv#: 8:19-01005 JBP Services, P.C., a California Corporation et al v. Murphy

#9.00

STATUS CONFERENCE Hearing RE: Adversary Complaint For Determination That Debt Is Non-Dischargeable Pursuant To 11 U.S.C. Sections 523(a)(2)(A), (2)(B), And (19)
(Complaint filed 1/6/19)

Docket 1

Tentative Ruling:

Tentative for 4/3/19:

The Court has received and reviewed the Amended Joint Status Report filed on March 25, 2019 [Dk. 11]. In light of the Parties' representation that they are in the process of finalizing a settlement agreement, the Court is not inclined to issue a scheduling order. This matter is CONTINUED to June 26, 2019, at 1:30 p.m. as a holding date to allow parties to finalize a settlement agreement and resolve the adversary proceeding. If the adversary proceeding has not yet been dismissed, a status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Michael David Murphy

Represented By
Daniel King

Defendant(s):

Michael David Murphy

Pro Se

Joint Debtor(s):

Jennifer Lee Murphy

Represented By
Daniel King

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

CONT... Michael David Murphy

Chapter 7

Plaintiff(s):

JBP Services, P.C., a California

Represented By
Christian S Molnar

James B. Pickell

Represented By
Christian S Molnar

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

8:18-13532 Tiphanie Jennifere Jordan

Chapter 7

Adv#: 8:19-01007 WJA Asset Management LLC et al v. Jordan et al

#10.00

STATUS CONFERENCE Hearing RE: Complaint To Deny Community Property Discharge Under 11 U.S.C. Section 524(a)(3)
(Complaint filed 1/7/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO JUNE 26, 2019 AT 10:00
A.M. PER ANOTHER SUMMONS ISSUED 3-28-19 - (DOCKET NO. [7])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tiphanie Jennifere Jordan

Represented By
Leonard M Shulman

Defendant(s):

William M Jordan

Pro Se

Tiphanie Jennifere Jordan

Pro Se

Plaintiff(s):

Secure California Income Fund LLC

Represented By
Kyra E Andrassy

California Indexed Growth Fund

Represented By
Kyra E Andrassy

CA Real Estate Opportunity Fund II

Represented By
Kyra E Andrassy

CA Real Estate Opportunity Fund I

Represented By
Kyra E Andrassy

William Jordan Investments Inc

Represented By
Kyra E Andrassy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

CONT... Tiphonie Jennifere Jordan

Chapter 7

WJA Secure Income Fund LLC Represented By
Kyra E Andrassy

WJA Secure Real Estate Fund LLC Represented By
Kyra E Andrassy

WJA Real Estate Opportunity Fund Represented By
Kyra E Andrassy

WJA Real Estate Opportunity Fund I Represented By
Kyra E Andrassy

WJA Express Fund LLC Represented By
Kyra E Andrassy

Whirl Fund LLC Represented By
Kyra E Andrassy

Urban Produce Fund LLC Represented By
Kyra E Andrassy

TD Opportunity Fund LLC Represented By
Kyra E Andrassy

CA Real Estate Opportunity Fund III Represented By
Kyra E Andrassy

Prosper Managed Fund LLC Represented By
Kyra E Andrassy

PMB Managed Fund LLC Represented By
Kyra E Andrassy

Luxury Asset Purchasing Represented By
Kyra E Andrassy

Equity Indexed Managed Fund LLC Represented By
Kyra E Andrassy

Clairton Residential Renewal LLC Represented By
Kyra E Andrassy

CA Whirl Fund LLC Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

CONT... Tiphonie Jennifere Jordan

Chapter 7

Kyra E Andrassy

CA See Jane Go Fund LLC

Represented By
Kyra E Andrassy

CA Express Fund LLC

Represented By
Kyra E Andrassy

Alabama Housing Fund LLC

Represented By
Kyra E Andrassy

5827 Winland Hills Drive

Represented By
Kyra E Andrassy

WJA Asset Management LLC

Represented By
Kyra E Andrassy

TD REO Fund LLC

Represented By
Kyra E Andrassy

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

8:18-13588 Tim M. McKenna

Chapter 7

Adv#: 8:19-01004 Law Offices of Michelle J. Sukhov, Inc. v. McKenna

#11.00

STATUS CONFERENCE Hearing RE: Complaint Objecting To Debtor's Discharge Under 11 U.S.C. Section 727 And For Nondischargeability Of Debt Under 11 U.S.C. Section 523(a)(2)
(Complaint filed 1/4/19)

[Tele. appr., Michelle J. Nelson, repr., Law Offices of Michelle J. Sukhov, Inc.]

Docket 1

Tentative Ruling:

Tentative for 4/3/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: September 30, 2019. Note: this date includes the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: November 15, 2019. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
4. Pretrial conference: December 18, 2019 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of sanctions, including the striking of the answer and dismissal of the complaint.

Party Information

Debtor(s):

Tim M. McKenna

Represented By
Michael G Spector

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

CONT... Tim M. McKenna

Chapter 7

Defendant(s):

Tim M. McKenna

Pro Se

Plaintiff(s):

Law Offices of Michelle J. Sukhov,

Represented By
Michelle J Nelson

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Ryan W Beall
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

8:18-13626 Krista Dee Christy Steffen

Chapter 7

Adv#: 8:19-01014 Steffen v. Steffen

#12.00

STATUS CONFERENCE Hearing RE: Complaint For Denial Of Discharge
Pursuant To 11 U.S.C. Section 727(a)(4)
(Complaint filed 1/14/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO MAY 15, 2019 AT 10:00
A.M. PER ANOTHER SUMMONS ISSUED 2-22-19 - (DOCKET NO. [8])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Krista Dee Christy Steffen

Represented By
Angela Mestre

Defendant(s):

Krista Dee Christy Steffen

Pro Se

Plaintiff(s):

Wallace Steffen

Represented By
Anerio V Altman

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 3, 2019

Hearing Room 5C

11:00 AM

8:18-13741 James Walter Seidel, Jr.

Chapter 7

Adv#: 8:19-01012 E.D.C. Technologies, Inc. v. Seidel, Jr.

#13.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability
OF Debt
(Complaint filed 1/14/19)

Docket 1

***** VACATED *** REASON: OFF CALENDAR - CASE REASSIGNED
TO JUDGE MARK S. WALLACE PER ORDER ENTERED 3-22-19 -
DOCKET NO. [7])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Walter Seidel Jr.

Represented By
Andrew S Bisom

Defendant(s):

James Walter Seidel Jr.

Pro Se

Joint Debtor(s):

Molly Marie Seidel

Represented By
Andrew S Bisom

Plaintiff(s):

E.D.C. Technologies, Inc.

Represented By
Kathryn E Barrett

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#1.00

Hearing RE: Second Omnibus Motion For Order Disallowing The Scheduled Claims That Have Been Satisfied
(Motion filed 2/27/19)

Claim No.	American Express	\$59,853.23
Claim No.	City of Los Angeles LAHD	\$135.66
Claim No.	City of Montebello	\$5.00
Claim No.	Department of Motor Vehicles	\$1,501.00
Claim No.	Department of Social Services	\$681.00
Claim No.	Home Depot Credit Services	\$20,615.35
Claim No.	Los Angeles County Sheriff Department	\$150.00
Claim No.	Los Angeles Dept. of Water and Power	\$3,904.50
Claim No.	Law Offices of Emilio J. Huerta	\$9,832.50
Claim No.	Orion Healthcare Technology	\$4,320.00
Claim No.	Sacramento County Tax	\$871.65
Claim No.	Sacramento County Utilities	\$180.57
Claim No.	Straight Up Reality Improvements	\$1,500.00
Claim No.	The Gas Company	\$4,244.45
Claim No.	Time Warner Cable	\$607.14

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
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Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

CONT...	California Hispanic Commission on Drug and Alcohol	Chapter 11
	Claim No. US Bank	\$2,382.29

[Tele. appr., Linda F. Cantor, repr., California Hispanic Commission On Drug and Alcohol]

[Tele. appr., Cristina Torres-Witness, repr., Cristina Torres]

Docket 503

Tentative Ruling:

Tentative for 4/4/19 is to CONTINUE the Second Omnibus Motion for Order Disallowing Claims [Dk. 503] to May 15, 2019, at 11:00 a.m., to allow Movant to effect proper service on all claimants.

LBR 3007-1(b)(2) requires service "on the claimant at the address disclosed by the claimant in its proof of claim *and* such other addresses and upon such parties as may be required by FRBP 7004 and other applicable rules." (emphasis added). FRBP 7004(b)(3) requires that a corporation, partnership or other unincorporated association be served "to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment of law to receive service of process." FRBP 7004(b)(6) requires that a "state or municipal corporation or other governmental organization thereof" must be served "to the person or office upon whom process is prescribed to be served by the law of the state in which service is made." FRBP 7004(h) requires service on insured depository institutions be made by certified mail addressed to an officer of the institution except under exceptions that to not appear to apply here. Where the address listed on the proof of claim differs from or does not comply with FRBP 7004, as stated on the Court's website, this Court requires the claim objection to be served on both addresses.

It appears that none of the Claimants were served with either the Notices or Objection in accordance with FRBP 7004. In addition, the Court was unable to locate filed notices for all claimants. Movant must properly serve all claimants with the Objection and notice of the Objection and continued hearing date in

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol Chapter 11
accordance with LBR 3007-1(b), and file the appropriate notice and/or proof of
service.

Appearances are excused for 4/4/19.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room

5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#2.00

Hearing RE: Third Omnibus Motion For Order Disallowing The Claims Of Debtor's Employees Not Participants In Debtor's Employee Pension Plan
(Motion filed 2/27/19)

Claim No. 55	Carlos Alcala	\$49,775.00
Claim No. 52	Christina Gonzalez	\$44,775.00
Claim No. 51	Diane Soto	\$54,775.00
Claim No. 53	Leilanie Quides	\$35,375.00
Claim No. 58	Lila Ojano-Bracco	\$112,000.00
Claim No. 56	Michelle Hoaglin	\$28,775.00
Claim No. 54	Mila Hodzic	\$31,975.00
Claim No. 60	Terry Suo	\$49,575.00
Claim No. 57	Angelina Sharman	\$45,000.00

[Tele. appr., Linda F. Cantor, repr., California Hispanic Commission On Drug and Alcohol]

[Tele. appr., Cristina Torres-Witness, repr., Cristina Torres]

Docket 504

Tentative Ruling:

Tentative for 4/4/19 is to GRANT the Third Omnibus Motion for Order Disallowing Claims [Dk. 504], except as follows:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol

Chapter 11

The Claims of Diane Soto [Claim No. 51], Terry Suo [Claim No. 60], and Angelina Sharman [Claim No. 57] are CONTINUED to May 15, 2019, at 11:00 a.m., to allow Movant effect proper service. Movant must properly serve these claimants with the Objection and notice of the Objection and continued hearing date in accordance with LBR 3007-1(b), and file the appropriate notice and/or proof of service.

LBR 3007-1(b)(2) requires service "on the claimant at the address disclosed by the claimant in its proof of claim *and* such other addresses and upon such parties as may be required by FRBP 7004 and other applicable rules." (emphasis added). Where the address listed on the proof of claim differs from or does not comply with FRBP 7004, as stated on the Court's website, this Court requires the claim objection to be served on both addresses.

Claimant Diane Soto was served with the Notice at 2550 E. Ward Street, Apt. 77, Arcadia, CA 92806; however, the address on Proof of Claim No. 51 is 2550 E. Ward Street, Apt. 77, Anaheim, CA 92806. In addition, it appears that this Claimant was served with notices of hearings on objections to the same claim for two different dates, which may be confusing.

Claimant Terry Suo was served with the Notice at 4008 Sand Harbour Lane, Elk Grove, CA 95788-4611; however, the address on Proof of Claim No. 60 is 9372 Waddell Lane, Elk Grove, CA 95624. In addition, an incorrect proof of claim was attached to the Notice filed February 27, 2019 [Dk. 528], although the correct Proof of Claim was attached to the motion.

Finally, it appears that Claimant Angelina Sharman was served with notices of hearings on objections to the same claim for two different dates. This matter is continued to avoid any potential confusion caused by the double notice.

This matter appears to be uncontested. Accordingly, no court appearance by Movant is required on April 4, 2019. Should a party file a late opposition or appear at the hearing to oppose the Motion as to any claim not continued above, the Court will determine whether further hearing is required and Movant will be so notified.

**United States Bankruptcy Court
Central District of California
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Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol

Chapter 11

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By

Michael R Totaro

Linda F Cantor ESQ

Victoria Newmark

Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room

5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#3.00

Hearing RE: Fourth Omnibus Motion For Order Disallowing Wage Claims
(Motion filed 2/28/19)

Claim No. 48-2	Pablo Alcala	\$37,924.83
Claim No. 4-2	Josephine Alvarez	\$100,000.00
Claim No. 47-2	John Becerra	\$50,081.63
Claim No. 46-2	Delia Duran	\$19,003.05
Claim No. 9	Lisa Gamboa	\$6,800,000.00
Claim No. 66	Ronald G. Jones	\$1,000,000.00
Claim No. 7	Laurie Morales	\$100,000.00
Claim No. 49	Jorge Torres	\$23,549.87

[Tele. appr., Linda F. Cantor, repr., California Hispanic Commission On Drug and Alcohol]

[Tele. appr., Cristina Torres-Witness, repr., Cristina Torres]

Docket 529

Tentative Ruling:

The Tentative for 4/4/19 is to GRANT the Fourth Omnibus Motion for Order Disallowing Claims [Dk. 529], except as follows:

With respect to Claim No. 4-2 filed by Josephine Alvarez, the Court is inclined to set an evidentiary hearing. See FRBP 3001; 9014; *Caviata Attached Homes*,

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room

5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol Chapter 11

LLC v. U.S. Bank, N.A. (In re Caviata Attached Homes, LLC) 481 B.R. 34, 44 (B.A.P. 9th Cir. 2012) (quoting the advisory committee's notes to the 2002 amendments to Rule 9014(d): "Subdivision (d) is added to clarify that if the motion cannot be decided without resolving a disputed material issue of fact, an evidentiary hearing must be held at which testimony of witnesses is taken in the same manner as testimony is taken in an adversary proceeding or at a trial in a district court civil case. . . . Nothing in the rule prohibits a court from resolving any matter that is submitted on affidavits by agreement of the parties."); *Reliance Steel & Aluminum Co. v. Locklin*, 2015 Bankr. Lexis 4116 (9th Cir. BAP 2015) (finding the bankruptcy court erred in failing to hold an evidentiary hearing even through opposition did not attach any evidence because boilerplate allegations contained in the proof of claim – which if proven would establish a claim - were sufficient to create a triable issue). Here, there is a disputed material issue of fact, and the parties are thus entitled to an evidentiary hearing. The parties should be prepared to discuss hearing dates and a briefing schedule. Further briefing should include the basis, if any, for this Court's jurisdiction to consider and determine a wage and hour claim, including damages such as emotional distress.

With respect to the claim filed by Lisa Gamboa as a putative class representative, notwithstanding the opposition, the Court is inclined to grant the objection to claim. Ms. Gamboa has failed to establish that she is the "creditor or creditor's authorized agent" who is permitted to file a proof of claim under FRBP 3001(b). While she asserts on the claim that she is a class representative, there is no evidence that any class was certified prior to the Petition Date, and she has not sought class certification in connection with this bankruptcy proceeding under FRBP 7023, nor has her counsel filed a verified statement of multiple creditor representation pursuant to FRBP 2019. While the Court has broad discretion whether to apply FRBP 7023 in a contested matter, it is not convinced on the present record that it should exercise that discretion in this case. The parties should be prepared to discuss the appropriateness of the Court's application of FRBP 7023 in this case, including addressing the following

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol Chapter 11

questions: (1) whether the members of the putative class received notice of the bankruptcy case and claims bar date, (2) whether class certification will adversely affect the administration of the estate, (3) whether debtor or its creditors will be prejudiced by class certification this late in the case, and (4) whether the putative class members will be prejudiced.

Appearances required.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room

5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#4.00

Hearing RE: Fifth Omnibus Motion For Order Disallowing The Claims That Are Not Owed By The Debtor
(Motion filed 2/28/219)

Claim No. 15	Anaheim Public Utilities	\$287.47
Claim No.	California Employers Association	\$563.57
Claim No. 6	California Physician Services d/b/a Blue Shield of California	\$48,611.03
Claim No. 10	California Physician Services d/b/a Blue Shield of California	\$66,247.72
Claim No. 17	California Physician Services d/b/a Blue Shield of California	\$48,611.03
Claim No.	California State Disbursement Unit	\$531.31
Claim No. 36-1	City of Los Angeles, Office of Finance	\$1,408.50
Claim No.	Draegar Safety Diagnosis	\$106,933.69
Claim No.	Ford Motor Credit Company, LLC	\$212,824.02
Claim No. 26-1	General Electric Capital Corporation	\$86,702.95
Claim No. 1-1	Internal Revenue Services	\$78,151.04
Claim No. 32-1	Sacramento Municipal Utility District	\$1,396.86
Claim No. 12	Wells Fargo Bank, N.A.	\$217,520.00

(OFF CALENDAR - NOTICE OF WITHDRAWAL OF CLAIM NO. 12 ONLY FILED 3/7/19 - (Docket No. [590])

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
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11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol Chapter 11

Claim No. 13 Wells Fargo Bank, N.A. \$744,262.00
**(OFF CALENDAR - NOTICE OF WITHDRAWAL OF CLAIM NO. 13 ONLY FILED
3/7/19 - (Docket No. [591])**

Claim No. Wells Fargo Bank \$91,208.00
(Scheduled)

**[Tele. appr., Linda F. Cantor, repr., California Hispanic Commission On Drug
and Alcohol]**

[Tele. appr., Cristina Torres-Witness, repr., Cristina Torres]

Docket 538

Tentative Ruling:

Tentative for 4/4/19 is to GRANT the Fifth Omnibus Motion for Order Disallowing Claims [Dk. 538], except as follows:

The Motion with respect to the Claims of California Employers Association, California State Disbursement Unit, and General Electric Capital Corporation, CONTINUED to May 15, 2019, at 11:00 a.m., to allow Movant effect proper service. Movant must properly serve these claimants with the Objection and notice of the Objection and continued hearing date in accordance with LBR 3007-1(b), and file the appropriate notice and/or proof of service.

LBR 3007-1(b)(2) requires service "on the claimant at the address disclosed by the claimant in its proof of claim *and* such other addresses and upon such parties as may be required by FRBP 7004 and other applicable rules." (emphasis added). FRBP 7004(b) requires, among other things, that a corporation, partnership or other unincorporated association be served "to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment of law to receive service of process." See FRBP 7004(b)(3). Where the address listed on the proof of claim differs from or does not comply with

**United States Bankruptcy Court
Central District of California
Santa Ana
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Thursday, April 4, 2019

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11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol Chapter 11

FRBP 7004, as stated on the Court's website, this Court requires the claim objection to be served on both addresses.

Scheduled Claimant California Employer's Association was served with the Motion at 1451 River Park Dr. #116, Sacramento, CA 95815, which is the same address Debtor listed on the schedules. Although there was no proof of claim filed, this address does not comply with FRBP 7004. Moreover, the Court was unable to locate a filed notice of objection to this claim.

Scheduled Claimant California State Disbursement Unit was served with the Notice and Motion at California State Disbursement Unit, P.O.Box 98906, West Sacramento, CA 95798. However, this address is not one of the registered addresses listed in the Court Manual, so service does not comply with FRBP 7004.

Scheduled Claimant Draeger Safety Diagnosis was served with the Notice and Motion at Draeger Safety Diagnosis, 4040 W. Royal Lane, Suite 136, Irving, TX 75063. This does not comply with FRBP 7004.

Claimant General Electric Capital Corporation [Claim No. 26-1] was served with the Motion and Notice [Dk. 544, filed 2/28/19] at two addresses: (1) General Electric Credit Corporation, Yvette Cedeno, General Electric Capital Corporation, 1010 Thomas Edison Blvd., SW, Cedar Rapids, IA 52404. (2) General Electric Credit Corporation, PO Box 31001-0271, Pasadena, CA 91110. Although both addresses are listed on the Proof of Claim, neither address complies with FRBP 7004. In addition, the heading on "General Electric Credit Corporation" may be misleading given that the creditor is "General Electric Capital Corporation." In addition, it appears that this creditor may have been served with notices of hearings on objections to the same claim for two different dates, which may be confusing.

The Motion as to Claimant Ford Motor Credit Company, LLC ("Ford") is DENIED without prejudice. Ford is not listed on Schedule F [Dk. 114]. Although Schedule D lists Ford as having several secured claims, none of these claims are for the \$212,824.02 amount listed in the Motion. It is not clear to this Court what claim Movant is objecting to. Moreover, the Court was unable to locate a filed notice of

**United States Bankruptcy Court
Central District of California
Santa Ana
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Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol Chapter 11

objection to this claim, and it is not clear that the Motion was served in accordance with FRBP 7004. While the Motion appears to have been served on Ford at two addresses, including on the attorney who previously filed a Motion for Relief from the Automatic Stay in this case, it is not clear that this attorney is authorized to receive service of process with respect to a claim objection or that either listed address otherwise complies with FRBP 7004.

This matter appears to be uncontested. Accordingly, no court appearance by Movant is required on April 4, 2019. Should a party file a late opposition or appear at the hearing to oppose the Motion as to any claim not continued above, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room

5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#5.00

Hearing RE: Sixth Omnibus Motion For Order Reducing And Allowing Claims
(Motion filed 2/28/19)

Claim No. 16	Anaheim Public Utilities	\$742.28
Claim No. 41	AT&T Corp	\$39,028.85
Claim No. 42	AT&T Long Distance LLC	\$886.00
Claim No.	Bay Alarm	\$433.03
Claim No.	Capital Premium Finance	\$1,882.79
Claim No.	City of Vacaville	\$652.00
Claim No.	Clinivate	\$13,750.00
Claim No.	Coveral North America, Inc.	\$10,617.00
Claim No.	Genesis Title Holding Company	\$773,157.15
Claim No. 33-1	Lewitt Hackman, Shapiro, Marshall & Harlan	\$57,919.63
Claim No.	Neshek's Auto Repair	\$3,101.30
Claim No.	Southern California Edison Company	\$7,888.00
Claim No.	Southern California Gas Company	\$6,180.00
Claim No. 28-1	Zoom Imaging Solutions, Inc.	\$2,550.43

**[Tele. appr., Linda F. Cantor, repr., California Hispanic Commission On Drug
and Alcohol]**

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol

Chapter 11

[Tele. appr., Cristina Torres-Witness, repr., Cristina Torres]

Docket 549

Tentative Ruling:

Tentative for 4/4/19 is to GRANT the Sixth Omnibus Motion for Order Disallowing Claims [Dk. 549], except as follows:

The Motion with respect to the Claims of Bay Alarm, Capital Premium Finance, the City of Vacaville, Clinivate, Coveral North America, Inc., Genesis Title Holding Company, Neshek's Auto Repair, Southern California Edison Company, and Zoom Imaging Solutions, Inc. is CONTINUED to May 15, 2019, at 11:00 a.m., to allow Movant to effect proper service.

LBR 3007-1(b)(2) requires service "on the claimant at the address disclosed by the claimant in its proof of claim *and* such other addresses and upon such parties as may be required by FRBP 7004 and other applicable rules." (emphasis added). FRBP 7004(b) requires, among other things, that a corporation, partnership or other unincorporated association be served "to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment of law to receive service of process," and a "state or municipal corporation or other governmental organization thereof" must be served "to the person or office upon whom process is prescribed to be served by the law of the state in which service is made." See FRBP 7004(b)(3), (6).

Where the address listed on the proof of claim differs from or does not comply with FRBP 7004, as stated on the Court's website, this Court requires the claim objection to be served on both addresses.

Service on the listed claimants did not comply with FRBP 7004 or was otherwise defective. Movant must properly serve all claimants with the Objection and notice of the Objection and continued hearing date in accordance with LBR 3007-1(b), and file the appropriate notice and/or proof of service.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol Chapter 11

This matter appears to be uncontested. Accordingly, no court appearance by Movant is required on April 4, 2019. Should a party file a late opposition or appear at the hearing to oppose the Motion as to any claim not continued above, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

Adv#: 8:19-01010 Luxury Asset Purchasing International, LLC v. Luxury Asset Lending, LLC

#6.00

STATUS CONFERENCE Hearing RE: Complaint:

- (1) To Disallow Proof Of Claim;
 - (2) To Avoid Incurrence Of Debt;
 - (3) For Contractual Indemnity; And
 - (4) Breach Of Contract
- (Complaint filed 1/9/19)

[Tele. appr., David L. Moore, repr., David L. Moore]

[Tele. appr., Thomas M. Monson, repr., Jackman Industries]

Docket 1

Tentative Ruling:

Tentative for 4/4/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: July 31, 2019. Note: this date includes the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: August 30, 2019. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
4. Pretrial conference: September 19, 2019 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of sanctions, including the striking of the answer and dismissal of the complaint.

Appearances required.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

Defendant(s):

Luxury Asset Lending, LLC

Pro Se

David Moore

Pro Se

Jackman Industries, Inc.

Pro Se

Plaintiff(s):

Luxury Asset Purchasing

Represented By

Kyra E Andrassy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#7.00

Hearing RE: First Interim Application For Allowance Of Fees And Reimbursement Of Expenses For The Period From December 4, 2018 Through March 9, 2019 (Application filed 3/11/19)

[RE: CHRISTIANSEN LAW OFFICES, PC - General Bankruptcy Counsel For Debtor And Debtor-In-Possession]

[Fees: \$63,945.00; Expenses: \$3,401.96]

[Tele. appr., Thomas H. Casey, repr., Trustee, Thomas H. Casey]

Docket 110

Tentative Ruling:

Tentative for 4/4/19:

This matter is CONTINUED to May 1, 2019 at 11:00 a.m. Applicant is to submit revised billing by no later than April 18, 2019, segregated by task and time for each single billing entry. Issues that must be corrected include, but are not limited to, the following:

1. As a result of the manner in which Applicant recorded time, the Court is unable to determine whether the time spent was reasonable.

The description of the time entries often does not correspond with the time. The billing entries are segregated into columns, with the description block billed in the center, without corresponding time entries adjacent to the description. Below is an example. Presumably, the time in the far right column would correspond to the entries; however, in the below example, which is typical of the billing, there are 8 time entries and 6 descriptions (and Applicant cannot bill for delivery to the United States Trustee, which is an administrative task).

Example:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

CONT...

Brooks T Morgan

Chapter 7

12/11/18	3:56-4:40	.01	Continue work on Statement of Major Issues & Timetable; 7 day Package; Communication with Client; 90 day Budget; Finalize 7 day Package & deliver copy to US Trustee; Draft Notice & Motion for Bar Date	1.70
	5:30-6:58			1.50
	7:19-7:29			.20
	7:40-7:50			.20
	8:07-8:59			.90
	10:21-4:19			5.90
	5:37-6:04			.50
	6:34-11:30			<u>4.90</u>
				16.80

2. Certain entries are vague. Without further detail, the Court is unable to ascertain the reasonableness of the time.

Example:

12/16/18 6:50-7:00 .01 Client communication .20

3. The application seeks time for the "insider compensation motion." However, the time is block billed on 1/3/19, so Court cannot ascertain how much time was spent on this task.

1/3/19 6:00-6:56 01 .90

Research and draft Notice of Change of Address for Chase Slate & Freedom; Draft insider compensation motion Adversary and Notice of Change of Address

Appearances are excused for the 4/04/19 hearing.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

CONT... Brooks T Morgan

Chapter 7

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

Adv#: 8:19-01013 Lopez et al v. Morgan

#8.00

STATUS CONFERENCE Hearing RE: Adversary Complaint To Determine Dischargeability Of Debt And Objecting To Discharge [11 USC Sections 523(a)(4), 523(a)(6)] (Complaint filed 1/14/19)

[Tele. appr., Thomas H. Casey, repr., Trustee, Thomas H. Casey]

Docket 1

Tentative Ruling:

Tentative for 4/4/19:

The Court will set the following dates/deadlines pursuant to the parties' Joint Status Report filed March 21, 2019 [Dk. 6]:

1. Discovery cutoff: December 15, 2019. Note: this date includes the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: January 30, 2020. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
4. Pretrial conference: February 5, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of sanctions, including the striking of the answer and dismissal of the complaint.

Appearances are excused for the 4/04/19 hearing. Plaintiff is to lodge a scheduling order within 7 days.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

CONT... Brooks T Morgan

Chapter 7

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Defendant(s):

Brooks T Morgan

Pro Se

Plaintiff(s):

Joanna N Lopez

Represented By
Katrina Anne Foley

Maria Arellano

Represented By
Katrina Anne Foley

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 4, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#9.00

Hearing RE: Debtor-In-Possession's Motion Pursuant To Federal Rule Of Bankruptcy Procedure 9019 For Entry Of An Order Approving Settlement Agreement Between The Debtor-In-Possession And Ethan Tamarit And Cristofer Tamarit
(Motion filed 3/13/19)

[Tele. appr., Thomas H. Casey, repr., Trustee, Thomas H. Casey]

Docket 117

***** VACATED *** REASON: OFF CALENDAR - WITHDRAWAL OF
DEBTOR-IN-POSSESSION'S MOTION FILED 4-2-19 (DOCKET NO.
[146])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

6:18-12690 Ronald M Herzer and Doris A Herzer

Chapter 7

#1.00

McCarthy & Holthus, LLP - movant attorney

Motion for Relief from Stay

Wells Fargo Bank, N.A. vs. DEBTORS
(Motion filed 3/13/19)

RE: 48815 De Luz Road, Temecula, CA 92590

EH ____

Docket 22

Tentative Ruling:

Tentative for 4/16/19 is to DENY:

Movant seeks relief from stay in this reopened bankruptcy case; however, the reopening of a closed chapter 7 case does not resurrect the previously terminated automatic stay. *See In re Blumfiel*, 514 B.R. 637, 643 (Bankr. D. Colo. 2014).

Notwithstanding the foregoing, if the stay were in place, the Court would also deny as Movant is adequately protected. The Ninth Circuit has held that a 20% equity cushion adequately protects a creditor's security interest. *In re Mellor*, 734 F.2d 1396, 1401 (9th Cir. 1984). Although there is no equity, the Movant, as the first-position lienholder, is protected by a substantial equity cushion.

Appearances required.

Party Information

Debtor(s):

Ronald M Herzer

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

CONT... Ronald M Herzer and Doris A Herzer

Chapter 7

Christopher Hewitt

Joint Debtor(s):

Doris A Herzer

Represented By
Christopher Hewitt

Movant(s):

Wells Fargo Bank, N.A.

Represented By
Nancy L Lee

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

6:18-19174 Cecil Jerry Edens, Jr

Chapter 7

#2.00

Barrett Daffin Frappier Treder & Weiss, LLP - movant attorney

Motion for Relief from Stay

The Bank of New York Mellon vs. DEBTOR
(Motion filed 12/10/18)

Re: 45251 Saint Tisbury Street, Temecula, CA 92592

EH_____

(Cont. from 1/8/19)

Docket 29

***** VACATED *** REASON: Order continuing matter to 6/25/19 @ 10:00
a.m. entered on 4/9/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cecil Jerry Edens Jr

Represented By
Joseph A West

Movant(s):

The Bank of New York Mellon,

Represented By
Darlene C Vigil

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

6:18-20348 Erick Govanny Parra

Chapter 7

#3.00

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 3/14/19)

RE: 2015 TOYOTA SIENNA, VIN: 5TDXK3DC5FS678926

EH _____

Docket 14

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Erick Govanny Parra

Represented By
Robert L Firth

Movant(s):

Toyota Motor Credit Corporation,

Represented By
Austin P Nagel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

CONT... Erick Govanny Parra

Chapter 7

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

6:19-10958 Ingrid Zuleika Cortez and Christopher Michael Ferrall

Chapter 7

#4.00

Malcolm Cisneros, A Law Corporation - movant attorney

Motion for Relief from Stay

Consumer Portfolio Services, Inc. vs.DEBTORS
(Motion filed 3/22/19)

Re: 2017 KIA FORTE

EH_____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ingrid Zuleika Cortez Pro Se

Joint Debtor(s):

Christopher Michael Ferrall Pro Se

Movant(s):

Consumer Portfolio Services, Inc., Represented By
Christina J O

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

CONT... Ingrid Zuleika Cortez and Christopher Michael Ferrall

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

6:19-11443 Ramiro Camargo

Chapter 7

#5.00

Law Office of Julian Bach - movant attorney

Motion for Relief from Stay

David W. Mathis vs. DEBTOR
(Motion filed 3/23/19)

Re: 552 East E Street, Ontario, California 91764

EH_____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(4) with 4001(a)(3) waiver.

"To obtain relief under §362(d)(4), the court must find three elements to be present. First, debtor's bankruptcy filing must have been part of a scheme. Second, the object of the scheme must be to delay, hinder, or defraud creditors. Third, the scheme must involve either (a) the transfer of some interest in the real property without the secured creditor's consent or court approval, or (b) multiple bankruptcy filings affecting the property. For the court to grant relief under §362(d)(4), and thus trigger two years of prospective relief as to the subject real property, it must affirmatively find that the three elements above are present." *In re First Yorkshire Holdings, Inc.*, 470 B.R. 864, 870-71 (B.A.P. 9th Cir. 2012). Here, Movant has submitted evidence that the filing was a part of a scheme to delay or hinder its foreclosure proceeding and multiple filings have occurred.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

CONT... Ramiro Camargo

Chapter 7

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ramiro Camargo

Pro Se

Movant(s):

David W Mathis

Represented By
Julian K Bach

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

6:19-11520 Antuan Turner

Chapter 7

#6.00

Kimball, Tirey, & St. John LLP - movant attorney

Motion for Relief from Stay

HPA Borrower 2017-1 LLC vs. DEBTOR
(Motion filed 3/20/19)

Re: 6345 Cool Breeze Ct., Riverside, CA 92503

EH_____

Docket 10

Tentative Ruling:

Updated Tentative for 4/16/19:

The Court has received and reviewed the Amended Declaration filed on 4/15/19 [Dk. 15], and will GRANT the Motion as set forth below.

Appearances are excused.

Tentative for 4/16/19:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver, provided Movant files an amended declaration in support of the motion (the first paragraph of the supporting declaration omits the declarant's name).

The request for annulment is granted. Movant has provided evidence that its actions in setting the trial after Debtor's bankruptcy case was filed were taken without knowledge of the automatic stay. Further, Debtor has not provided any evidence that annulment is not warranted. Pursuant to 11 U.S.C. § 362(g), debtor bears the burden of proof on this issue. *See also Souang v.*

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

CONT... Antuan Turner

Chapter 7

Fularon, 2011 Bankr. LEXIS 4335 (9th Cir. BAP 2011) ("[T]he debtor bears the ultimate burden of proving that the request for retroactive relief from the stay should be denied.").

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Antuan Turner

Represented By
Julie J Villalobos

Movant(s):

HPA Borrower 2017-1 LLC

Represented By
Scott Andrews

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

6:19-11659 Yuvia Del Alma Tuyu

Chapter 7

#7.00

Prenovost, Normandin, Bergh & Dawe - movant attorney

Motion for Relief from Stay

Yamaha Motor Finance Corp. vs. DEBTOR
(Motion filed 3/26/19)

Re: 2016 Yamaha VX1050BRA

EH_____

Docket 11

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Yuvia Del Alma Tuyu

Represented By
Joseph A Weber

Movant(s):

Yamaha Motor Finance Corp.

Represented By
Karel G Rocha

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

CONT... Yuvia Del Alma Tuyu

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

10:00 AM

6:19-12803 Robert Clement Hitte

Chapter 7

#7.10

Law Offices of William E. Windham - movant attorney

Motion for Relief from Stay

Kavon Haghghi vs. DEBTOR
(Motion filed 4/10/19)

Re: 27720 Elderberry St, Murrietta 92562

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Robert Clement Hitte

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

11:00 AM

6:16-11869 John Angulo, Jr and Linda Angulo

Chapter 7

#8.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 4/16/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

John Angulo Jr	Pro Se
----------------	--------

Joint Debtor(s):

Linda Angulo	Pro Se
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Trustee(s):

Howard B Grobstein (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

11:00 AM

6:16-17203 Ray Carnes and Stephanie Lukehart-Carnes

Chapter 7

#9.00

Hrg. on approval of trustee's final report and applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 4/16/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ray Carnes

Represented By
Eliza Ghanooni

Joint Debtor(s):

Stephanie Lukehart-Carnes

Represented By
Eliza Ghanooni

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

11:00 AM

6:17-16518 Ivan De La Torre

Chapter 7

#10.00

Hrg. on approval of trustee's final report and applications for compensation

EH_____

Docket 49

Tentative Ruling:

Tentative for 4/16/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ivan De La Torre

Represented By
Daniel C Sever

Trustee(s):

Lynda T. Bui (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

11:00 AM

6:17-17176 Lluvia Isabel Garcia

Chapter 7

#11.00

Hrg. on approval of trustee's final report and applications for compensation

EH_____

Docket 37

Tentative Ruling:

Tentative for 4/16/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Lluvia Isabel Garcia

Represented By
Marlin Branstetter

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

11:00 AM

6:17-19106 Timothy Edward Mathias and Kirt Lee Edly

Chapter 7

#12.00

Hrg. on approval of trustee's final report and applications for compensation

EH_____

Docket 39

Tentative Ruling:

Tentative for 4/16/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days

Party Information

Debtor(s):

Timothy Edward Mathias

Represented By
Jenny L Doling

Joint Debtor(s):

Kirt Lee Edly

Represented By
Jenny L Doling

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

11:00 AM

6:18-14750 Kevin Jones and Teri Marie Goodwin

Chapter 7

#13.00

Hrg. on Chapter 7 Trustee's Motion for Order (1) Authorizing Sale of Real Property Free & Clear of Liens, Claims and Interests (2) Confirming Sale to Third Party or the Highest Bidder Appearing at the Hearing; (3) Determining that Buyer is a Good Faith Purchaser; (4) Waiving the 14 Day Stay Prescribed by Rule 6004(h) of the Federal Rules of Bankruptcy Procedure

EH _____

Docket 29

Tentative Ruling:

Tentative for 4/16/19 is to approve bidding procedures. Trustee is to conduct an auction.

Party Information

Debtor(s):

Kevin Jones

Represented By
Todd L Turoci

Joint Debtor(s):

Teri Marie Goodwin

Represented By
Todd L Turoci

Movant(s):

Larry D Simons (TR)

Represented By
Frank X Ruggier

Trustee(s):

Larry D Simons (TR)

Represented By
Frank X Ruggier

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

11:00 AM

6:18-14917 Hao Wang

Chapter 7

#14.00

Hrg. on Chapter 7 Trustee's Motion for Turnover of Property of the Estate Pursuant to Bankruptcy Code Sections 521(a)(4) and 542(a), and Request to Provide the Trustee With a Full Accounting

EH ____

Docket 66

Tentative Ruling:

Tentative for 4/16/19:

The Court agrees that Debtor is required to cooperate with the Trustee pursuant to 11 U.S.C. §521(a)(3). If the Trustee has requested certain documentation, which has not been provided, a turnover order is warranted. The Chapter 7 Trustee should be prepared to walk the Court through precisely what documents and assets he requests the Debtor be ordered to turn over.

To the extent the Trustee appears to be requesting an order compelling Debtor to amend his schedules, that request is not included in the caption of the motion, nor the notice, and the Trustee provides no legal authority for that request.

Appearances are required.

Party Information

Debtor(s):

Hao Wang

Represented By
Sam X J Wu

Movant(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

11:00 AM

CONT... Hao Wang

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

11:00 AM

6:18-14917 Hao Wang

Chapter 7

#15.00

Hrg. on chapter 7 trustee's Third Motion filed 3/8/19 to Extend Deadline Within Which the Chapter 7 Trustee or the Office of the U.S. Trustee May File an Objection to Debtor's Discharge Pursuant to 11 U.S.C. Section 727

EH_____

Docket 63

Tentative Ruling:

Tentative for 4/16/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Hao Wang

Represented By
Sam X J Wu

Movant(s):

Arturo Cisneros (TR)

Pro Se

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

11:00 AM

6:19-10008 LaTronia Chantanise Gipson and Roy Lester Colbert, Jr

Chapter 7

#16.00

Hrg. on Debtors' motion filed 3/21/19 to vacate Dismissal of case

EH_____

Docket 17

Tentative Ruling:

Tentative for 4/16/19:

Debtors should appear in person and be prepared to testify under oath regarding their communications with the Trustee and their understanding as to their duties and responsibilities in this case.

Should Debtors fail to appear, the Motion may be denied.

Appearances required.

Party Information

Debtor(s):

LaTronia Chantanise Gipson	Pro Se
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Joint Debtor(s):

Roy Lester Colbert Jr	Pro Se
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Movant(s):

LaTronia Chantanise Gipson	Pro Se
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Roy Lester Colbert Jr	Pro Se
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Trustee(s):

Steven M Speier (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

11:00 AM

6:19-10149 Gorilla Islands, LLC

Chapter 7

#17.00

Hrg. on U.S. Trustee's Motion For Order Compelling Attorney To File Disclosure Of Compensation Pursuant To 11 U.S.C. § 329 And Federal Rule Of Bankruptcy Procedure 2016

(Cont. from 3/19/19)

EH _____

Docket 19

Tentative Ruling:

Tentative for 4/16/19:

The Court would like to hear from the United States Trustee on whether this matter is moot as a result of the filing of the Disclosure of Compensation on 3/18/19 [Dk. 32].

Appearances required.

Updated tentative for 3/19/19:

The Court has received and reviewed the opposition [Dk. 33] and Disclosure of Compensation [Dk. 32] filed on 3/18/19. While the Court is not pleased with the extreme tardiness of filing an opposition on the eve of a hearing, it is inclined to consider the late-filed documents as they go to the merits of the Motion. Both parties are directed to appear and discuss the sufficiency of the disclosure and why it could not have been made in a more timely manner.

Appearances required.

Tentative for 3/19/19 is to GRANT.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

11:00 AM

CONT... Gorilla Islands, LLC

Chapter 7

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Gorilla Islands, LLC

Represented By
Bruce A Boice

Movant(s):

United States Trustee (RS)

Represented By
Abram Feuerstein esq

Trustee(s):

Howard B Grobstein (TR)

Represented By
Christopher K.S. Wong
M Douglas Flahaut
Aram Ordubegian

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

6:12-34801 Salvador Rivera and Teresa Rivera

Chapter 11

#18.00

Hrg. on Debtors' Motion in Chapter 11 Case for Entry of a Final Decree and Order Closing Case

EH ____

Docket 330

Tentative Ruling:

Tentative for 4/16/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Salvador Rivera

Represented By
Andrew H Griffin III

Joint Debtor(s):

Teresa Rivera

Represented By
Andrew H Griffin III

Movant(s):

Salvador Rivera

Represented By
Andrew H Griffin III

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

6:17-19048 Caroline C Mendoza

Chapter 11

#19.00

Hrg. on approval of Disclosure Statement

(Cont. from 3/5/19)

EH_____

Docket 0

Tentative Ruling:

Tentative for 4/16/19:

Appearances required.

Tentative for 2/5/19:

Counsel should appear and be prepared to discuss the following issues:

1. The feasibility of the plan appears to be based in part on payments from third parties. Debtor should provide additional support for approval of a plan under Chapter 11 with such a contingency. Further, the Court notes that Debtor's family members have provided declarations stating that they can afford to and will continue to make the payments to the Debtor in support of her plan; however, these statements lack foundation and detail sufficient to convince the Court of their reliability. For example, while Mr. Mendoza and Ms. Calangi both provide their monthly income, they do not state their monthly expenses, so the Court cannot evaluate whether they truly have the financial ability to make the promised monthly contributions for the

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

CONT...

Caroline C Mendoza
duration of the Debtor's plan.

Chapter 11

2. It is not clear that the treatment of the claims of junior lienholders Angelina Yumang and AMC Rockwell Corporation as unsecured claims owed \$0.00 is appropriate. Debtor argues her personal obligation on this lien was discharged in 2012, and the Creditors' liens were stripped pursuant to a motion to value. In support of this assertion, Debtor cites case law for Chapter 13 cases, but does not address the effect of § 1111(b)(A) (which does not apply in Chapter 13), which provides that a claim secured by property of the estate shall be treated as though the holder had recourse against the debtor on account of the claim. See *In re B.R. Brookfield Commons No. 1 LLC*, 735 F.3d 596, 598 (7th Cir. 2013) (requiring an otherwise non-recourse claim to be treated as if creditor had recourse against debtors because creditor's claim was secured by a valid lien against debtors' property); *In re Salamon*, 854 F.3d 632, 636 (9th Cir. 2017) (finding that §1111(b)(A) did not apply where the property had been sold and the liens were secured by property that was no longer property of the estate).
3. The Plan and Disclosure Statement propose to modify a mortgage secured by Debtor's primary residence. It is unclear why this is permissible under §1123(b)(5).
4. While the Disclosure Statement references the Wells Fargo Motion for Relief from stay with respect to the 16593 Catena Drive Property, it does not mention the relief from stay motion with respect to the 2226 Rancho Hills Drive property that was granted on June 22, 2018 [Dk. 75], or whether this property remains property of the estate or if this relief from stay has any effect on the estate.

Appearances required.

Tentative for 10/9/18:

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

CONT... Caroline C Mendoza

Chapter 11

The Court has reviewed the status report filed 9/25/18 [Dk. 92] and is unclear why Debtor requires another 60 days prior to filing her plan and disclosure statement in what appears to be a straightforward (secured debt only; no claim objections; no avoidance actions) individual Chapter 11 case, which has already been pending nearly a year.

Appearances required.

Party Information

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

6:17-19048 Caroline C Mendoza

Chapter 11

#20.00

Hrg. on Chapter 11 Status Conference

(Cont. from 3/4/19)

EH_____

Docket 0

Tentative Ruling:

Tentative for 4/16/19:

None listed.

Tentative for 2/05/19 is to set a CONTINUED date of April 2, 2019, at 1:30 p.m.

Tentative for 10/9/18:

The Court has reviewed the status report filed 9/25/18 [Dk. 92] and is unclear why Debtor requires another 60 days prior to filing her plan and disclosure statement in what appears to be a straightforward (secured debt only; no claim objections; no avoidance actions) individual Chapter 11 case, which has already been pending nearly a year.

Appearances required.

Party Information

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

CONT... Caroline C Mendoza

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#21.00

Hrg. on Chapter 11 Status Conference

EH_____

(Cont. from 3/4/19)

Docket 0

Tentative Ruling:

Tentative for 4/16/19:

None listed.

Tentative for 3/5/19 is to set a continued status conference date of April 16, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 1/22/19 is to set a continued status conference date of March 5, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 8/21/18 is to set a continued status conference date of January 22, 2019 at 11:00 a.m. A status report is due 14 days in advance.

With respect to Debtor's request to continue the October 15, 2018 deadline to

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

CONT... Big Bear Bowling Barn, Inc. Chapter 11

file a plan and disclosure statement, which was set pursuant to an order entered August 8, 2018 [Dk. 70] at Debtor's request, the Court would prefer a formal motion, which it can then grant for cause, if cause exists.

Appearances required.

Tentative for 5/15/18 is to set the following dates/deadlines:

1. Deadline to file a Plan and Disclosure Statement: August 3, 2018, which is approximately 120 days from the Petition Date. Note: the failure to timely file a Plan and Disclosure Statement may result in the dismissal or conversion of the case.
2. Claims Bar Date: July 30, 2018, with the notice to be served by no later than May 29, 2018.
3. Claims Objection Date: September 28, 2018.
4. Continued Status Conference: August 21, 2018 at 1:30 p.m.. A status report is due 14 days in advance.

Debtor is to lodge a scheduling order within seven days.

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#22.00

Hrg. on Approval of Disclosure Statement

EH_____

(Cont. from 3/5/19)

Docket 0

Tentative Ruling:

Tentative for 4/16/19 is to GRANT.

Appearances required.

Tentative for 3/5/19 is to CONTINUE the hearing on the disclosure statement to April 16, 2019, at 1:30 p.m. to allow Debtor to file an amended plan and disclosure statement that addresses and resolves the issues raised in the objections filed by Creditor Columbia Bank on February 15, 2019 [Dk. 127] and by the UST on February 19, 2019 [Dk. 128].

An amended disclosure statement and plan must be filed by **March 26, 2019**.
Oppositions to the amended disclosure statement are due **April 2, 2019**.
Replies to any opposition are due **April 9, 2019**.

Appearances for the 3/5/19 hearing are excused.

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#23.00

Hrg. on Chapter 11 Status Conference

EH_____

(Cont. from 2/19/19)

Docket 1

Tentative Ruling:

Tentative for 4/16/19:

This matter is CONTINUED to June 11, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 10/02/18 is to set the following dates/deadlines:

1. Deadline to file a Plan and Disclosure Statement: January 31, 2019. The failure to timely file a plan and disclosure statement may result in the dismissal or conversion of the case.

2. Continued Status Conference: February 19, 2019 at 1:30 p.m.

Debtor is to submit a scheduling order within seven days.

Appearances required.

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Bradford G Hughes
Peter W Lianides

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

CONT...

Lovejoy's Family Moving., Inc., dba Republic

Alastair M Gesmundo

Robert E Opera

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#24.00

Hrg. on Application filed 3/26/19 for Compensation First Interim Application Of Winthrop Couchot Golubow Hollander, LLP, General Insolvency Counsel For The Debtor, Period: 11/19/2018 to 2/28/2019, Fee: \$235,755.50, Expenses: \$5671.58

EH_____

Docket 191

***** VACATED *** REASON: Cont. to 4/30/16 @ 1:30 p.m. by order
signed on 4/3/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes

Peter W Lianides

Alastair M Gesmundo

Robert E Opera

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#25.00

Hrg. on Application filed 3/26/19 for Compensation and Reimbursement of Expenses of Illyssa I. Fogel & Associates, Former General Bankruptcy Counsel to the Debtor. for Illyssa I Fogel - Period: 8/6/2018 to 11/19/2018, Fee: \$104,190.00, Expenses: \$356.00

EH_____

Docket 194

***** VACATED *** REASON: Cont. to 4/30/16 @ 1:30 p.m. by order
signed on 4/3/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes

Peter W Lianides

Alastair M Gesmundo

Robert E Opera

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#26.00

Hrg. on Application filed 3/6/19 for Approval of Fees and Reimbursement of Expenses by The Turoci Firm - Period: 8/24/2018 to 2/21/2019, Fees: \$47,235.00, Expenses: \$2,780.22.

EH_____

Docket 116

Tentative Ruling:

Tentative for 4/16/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

Movant(s):

Investment Group, LLC

Represented By
Todd L Turoci

United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#27.00

Hrg. on Debtor's motion filed 11/21/18 for approval of chapter 11 Disclosure Statement

(Cont from 2/5/19)

EH_____

Docket 53

*** VACATED *** REASON: Cont. to 6/11/19 @ 1:30 p.m. by Order signed on 3/27/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

Movant(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#28.00

Hrg. on Chapter 11 Status Conference

(Cont. from 4/16/19)

EH_____

Docket 1

Tentative Ruling:

Tentative for 4/16/19: This matter is CONTINUED to June 11, 2019 at 1:30 p.m. to coincide with the hearing on the adequacy of the disclosure statement.

Appearances are excused.

Tentative for 10/09/18 is to set the following dates/deadlines:

1. Deadline to file a plan and disclosure statement: January 31, 2019. The failure to timely file a plan and disclosure statement may result in the dismissal or conversion of the case.

2. Continued status conference: February 19, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances required.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

CONT... Investment Group, LLC

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 16, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#29.00

Hrg. on Debtor's Motion filed 3/20/19 to Continue Hearing On approval of chapter 11 disclosure statement

EH_____

Docket 119

***** VACATED *** REASON: Order Granting continuance to 6/11/19 @
1:30 p.m. signed on 3/27/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, April 17, 2019

Hearing Room 126

1:30 PM

6:17-14467 Stanton Place 2014, LLC

Chapter 7

#14.00

Hrg. on general counsel for alleged Debtor's motion filed 9/27/17 for Attorneys' Fees, Cost and Damages Pursuant to 11 U.S.C. 303(i)

(Cont. from 12/5/18)

EH_____

Docket 111

***** VACATED *** REASON: Notice of Withdrawal of Motion filed
2/19/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Stanton Place 2014, LLC

Represented By
Robert M Yaspan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, April 17, 2019

Hearing Room 126

1:30 PM

6:18-19039 Paramjit Singh

Chapter 7

Adv#: 6:19-01021 Ipex Capital, LLC et al v. Singh

#15.00

STATUS CONFERENCE re: Complaint by Ipex Capital, LLC, Don Osborne, Mohammad Moktare against Paramjit Singh. (false pretenses, false representation, actual fraud),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny),(68 (Dischargeability - 523(a)(6), willful and malicious injury),(65 (Dischargeability - other)) (727(a)(3))

Docket 1

*** VACATED *** REASON: Cont. to 7/17/19 by order signed 4/9/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Paramjit Singh

Represented By
Robert J Spitz

Defendant(s):

Paramjit Singh

Pro Se

Plaintiff(s):

Ipex Capital, LLC

Represented By
Neal Salisian

Don Osborne

Represented By
Neal Salisian

Mohammad Moktare

Represented By
Neal Salisian

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, April 17, 2019

Hearing Room 126

1:30 PM

6:18-19043 Donald Meredith Dible
Adv#: 6:19-01018 Simons v. Boshier

Chapter 7

#16.00

STATUS CONFERENCE re: Complaint by Larry D. Simons against Leslie Ann Boshier (1) Avoidance and Recovery of Fraudulent Transfer (2) Turnover of Property; and (3) Sale of Interest of Co-owner in Property of the Estate

EH _____

Docket 1

Tentative Ruling:

Tentative for 4/17/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: August 30, 2019. Note: this date includes the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: October 15, 2019. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
3. Mediation cutoff: October 15, 2019.
4. Pretrial conference: November 20, 2019 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Donald Meredith Dible

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, April 17, 2019

Hearing Room 126

1:30 PM

CONT... Donald Meredith Dible

Chapter 7

Stephen H Darrow

Defendant(s):

Leslie Ann Boshier

Pro Se

Plaintiff(s):

Larry D. Simons

Represented By
Anthony A Friedman

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, April 17, 2019

Hearing Room 126

1:30 PM

6:18-16626 Judy Zhuang

Chapter 7

Adv#: 6:18-01217 Liao v. Zhuang

#17.00

Hrg. on Plaintiff's Motion to compel defendant Judy Zhuang's Rule 26(a) disclosures; responses to Planitiff Chih Ling Liao's Special interrogatories, set one and requests for production of documents, set, one

EH_____

Docket 23

Tentative Ruling:

Tentative for 4/17/19:

Appearances required.

Party Information

Debtor(s):

Judy Zhuang

Represented By
Todd L Turoci

Defendant(s):

Judy Zhuang

Pro Se

Plaintiff(s):

Chih Ling Liao

Represented By
Sam X J Wu

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

9:30 AM

8:18-14210 Kathleen Marie Buhneing

Chapter 7

#1.00

CONT'D Reaffirmation Agreement Between Debtor And Kia Motors Finance
Motion filed 1/9/19)

[ES CASE]

[RE: 2015 Kia Optima - Amount: \$13,820.82]

FR: 3-20-19

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kathleen Marie Buhneing

Represented By
Brian J Soo-Hoo

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

9:30 AM

8:18-14368 Deborah C Duncan

Chapter 7

#2.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And ACAR
Leasing LTD d/b/a GM Financial Leasing
(Motion filed 3/8/19)
[TA CASE]

**[RE: 2018 Cadillac XT5 - Amount: \$23,978.80]
[VIN No.: 1GYKNCRS0JZ231634]**

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Deborah C Duncan

Pro Se

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

9:30 AM

8:18-14495 Vanneza Lopez

Chapter 7

#3.00

CONT'D Hearing RE: Reaffirmation Agreement Between Debtor And Toyota
Motor Credit Corporation
(Motion filed 2/14/19)

**[RE: 2014 Toyota Sienna - Amount: \$18,834.23]
[VIN No.: 5TDZK3DC1ES479797]**

FR: 3-20-19

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Vanneza Lopez

Represented By
Daniel King

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

9:30 AM

8:18-14566 Armando Martinez Ortiz

Chapter 7

#4.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And American
Honda Finance Corporation

(Motion filed 3/1/19)

[TA CASE]

[RE: 2018 Honda Accord - Amount: \$27,568.17]

[VIN No.: 1HGCV1F39JA195938]

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Armando Martinez Ortiz

Represented By
Marlin Branstetter

Trustee(s):

Thomas H Casey (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Wednesday, April 17, 2019

Hearing Room 5C

9:30 AM

8:18-14584 Cynthia Barela

Chapter 7

#5.00

Hearing RE: Reaffirmation Agreement Between Debtor And American Honda
Finance Corporation
(Motion filed 3/1/19)
[ES CASE]

[RE: 2015 Honda Accord - Amount: \$19,513.42]
[VIN No.: 1HGCR2F54FA184834]
[Presumption Of Undue Hardship Box Checked]

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cynthia Barela

Represented By
Kevin J Kunde

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

9:30 AM

8:18-14614 David Belasco, IV

Chapter 7

#6.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Nissan-Infiniti LT
(Motion filed 3/4/19)

**[RE: Leased 2017 Infiniti Q50 - Amount: \$6,562.65 Plus All Amounts Due Under The Lease At The Termination Of The Lease]
[RE: VIN No.: JN1EV7AP1HM734858]**

Docket 16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Belasco IV

Pro Se

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

9:30 AM

8:18-14645 Teresa Canlas Naluz and Charles Randall Ala Mendina

Chapter 7

#7.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Toyota
Motor Credit Corporation
(Motion filed 3/5/19)
[ES CASE]

**[RE: 2015 Toyota Prius - Amount: \$5,335.00]
[VIN No.: JTDKN3DU8F0408800]**

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Teresa Canlas Naluz	Pro Se
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Joint Debtor(s):

Charles Randall Ala Mendina	Pro Se
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Trustee(s):

Weneta M Kosmala (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

9:30 AM

8:18-14703 Martha L Kramer

Chapter 7

#8.00

Hearing RE: Reaffirmation Agreement Between Debtor And Americredit
Financial Services, Inc., dba GM Financial
(Motion filed 3/1/19)
[ES CASE]

**[RE: 2014 Mitsubishi Mirage - Amount: \$6,590.91]
[VIN No.: ML32A3HJ8EH009772]**

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Martha L Kramer

Represented By
Marlin Branstetter

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

9:30 AM

8:19-10029 Charlie McKenzie Richardson and Yen Hoang Richardson

Chapter 7

#9.00

Hearing RE: Reaffirmation Agreement Between Debtor And ACAR Leasing LTD
d/b/a/ GM Financial Leasing
(Motion filed 3/5/19)
[TA CASE]

**[RE: 2017 Chevrolet Tahoe - Amount: \$18,225.89]
[VIN No.: 1GNSKBKC7HR346826]**

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Charlie McKenzie Richardson

Represented By
Tina H Trinh

Joint Debtor(s):

Yen Hoang Richardson

Represented By
Tina H Trinh

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

9:30 AM

8:19-10081 Brandon Robert Truman and Shaina Bautista Truman

Chapter 7

#10.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Bank Of America, N.A.
(Motion filed 3/1/19)
[CB CASE]

[RE: 2016 Audi S3 #5859 - Amount: \$35,158.46]

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brandon Robert Truman

Represented By
Philomena N Nzegge

Joint Debtor(s):

Shaina Bautista Truman

Represented By
Philomena N Nzegge

Trustee(s):

Richard A Marshack (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Wednesday, April 17, 2019

Hearing Room 5C

9:30 AM

8:19-10634 Perri A. Lujan-Medley

Chapter 7

#11.00

Hearing RE: Reaffirmation Agreement Between Debtor And USAA Federal Savings Bank
(Motion filed 3/22/19)
[CB CASE]

[RE: 2016 Subaru Outback - Amount: \$23,880.45]

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Perri A. Lujan-Medley

Represented By
Christopher J Langley

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01176 Marshack, Ch 7 Trustee v. Castanon

#11.10

Hearing RE: Plaintiff Richard A. Marshack, Chapter 7 Trustee's Motion For Sanctions For Failure To Cooperate In Discovery (Motion filed 3/26/19)

Docket 15

Tentative Ruling:

Tentative for 4/17/19:

Appearances required.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Michael E Castanon

Represented By
Rhonda Walker

Plaintiff(s):

Richard A Marshack, Ch 7 Trustee

Represented By
Marsha A Houston
Christopher O Rivas

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

11:00 AM

8:17-12746 Du Sik Kang

Chapter 7

Adv#: 8:18-01112 Golden, Chapter 7 Trustee v. Bang et al

#12.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For:
(1) Avoidance Of Transfers Voidable By A Bona Fide Purchaser Of Real
Property [11 U.S.C. Section 544(a)(3)];
(2) Avoidance Of Actual Fraudulent Transfer [11 U.S.C. Section 548(a)(1)(A)];
(3) Avoidance Of Constructive Fraudulent Transfer
[11 U.S.C. Section 548(a)(1)(B)];
(4) Recovery Of Avoided Transfers [11 U.S.C. Section 550]; And
(5) Turnover [11 U.S.C. Section 542(a)]
(Complaint filed 6/18/18)
(First Amended Complaint filed 7/26/18)
[Judgment RE Well Fargo]

FR: 9-12-18; 11-7-18; 1-23-19

Docket 11

Tentative Ruling:

Tentative for 4/17/19:

The Court has received and reviewed the Status Report filed on 4/3/19 [Dk. 40], and will CONTINUE this matter to 6/12/19 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 1/23/19 is to CONTINUE this matter to 4/17/19 at 11:00 a.m. A status report is due 14 days in advance.

The 1/23/19 hearing is VACATED.

Tentative for 11/07/18 is to CONTINUE this matter to 1/23/19 at 11:00 a.m.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

11:00 AM

CONT... Du Sik Kang

Chapter 7

pursuant to the parties' request contained in the Joint Status Report filed 10/24/18 [Dk.20]. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 9/12/18 is to CONTINUE this matter to 11/7/18 at 11:00 a.m. pursuant to the parties' request contained in the Joint Status Report filed 8/28/18 [Dk.14]. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Du Sik Kang	Represented By Jisoo Hwang
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Defendant(s):

Ik Soo Bang	Pro Se
Hye Young Bang	Pro Se
Ik Soo Bang, Hye Young Bang, as	Pro Se
Wells Fargo & Company	Pro Se

Plaintiff(s):

Jeffrey I. Golden, Chapter 7 Trustee	Represented By Noreen A Madoyan
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Trustee(s):

Jeffrey I Golden (TR)	Represented By Noreen A Madoyan
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, April 17, 2019

Hearing Room 5C

11:00 AM

8:18-13626 Krista Dee Christy Steffen

Chapter 7

Adv#: 8:19-01014 Steffen v. Steffen

#13.00

Hearing RE: Motion To Dismiss Adversary Proceeding Filed By Wallace Steffen, Jr.
(Motion filed 3/5/19)

Docket 10

Tentative Ruling:

Tentative for 4/17/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Krista Dee Christy Steffen

Represented By
Angela Mestre

Defendant(s):

Krista Dee Christy Steffen

Pro Se

Plaintiff(s):

Wallace Steffen

Represented By
Anerio V Altman

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, April 18, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#20.00

Final hrg. on Motion for Entry of an Order Authorizing Debtor to Honor
Prepetition Obligations to Critical Vendors

EH ____

(Cont. from 3/14/19)

[Tele. appr., Gary W. Marsh, repr., Air Force Village West, Inc., et al.]

[Tele. appr., Paul E. Harner, repr., KBC Bank NV - LISTEN ONLY]

[Tele. appr., Jed Morris, repr., Westmont Living, Inc. - LISTEN ONLY]

Docket 15

Tentative Ruling:

Tentative for 4/18/19:

Appearances required. The Court prefers, but does not require, that any party intending to participate in any oral argument or presentation to the Court, including but not limited to counsel for the Debtor, the Committee for Unsecured Creditors, any secured creditors, and any government entities, appears in person in Santa Ana.

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, April 18, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#21.00

Final hrg. on Motion For Order Limiting Scope of Notice

EH ____

(Cont. from 3/14/19)

[Tele. appr., Gary W. Marsh, repr., Air Force Village West, Inc., et al.]

[Tele. appr., Paul E. Harner, repr., KBC Bank NV - LISTEN ONLY]

[Tele. appr., Jed Morris, repr., Westmont Living, Inc. - LISTEN ONLY]

Docket 19

Tentative Ruling:

Tentative for 4/18/19:

Appearances required. The Court prefers, but does not require, that any party intending to participate in any oral argument or presentation to the Court, including but not limited to counsel for the Debtor, the Committee for Unsecured Creditors, any secured creditors, and any government entities, appears in person in Santa Ana.

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, April 18, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#22.00

Hrg. on Debtor's Motion filed 3/19/19 for the Entry of (I) an Order (1) Approving Bidding Procedures, Auction Sale Format, and Stalking Horse Bid Protections; (2) Approving Notice Procedures to Interested Parties; (3) Scheduling Court Hearings to Consider Approval of the Bidding Procedures and the Sale to the Highest Bidder; and (4) Approving Procedures Related to the Assumption of Certain Executory Contracts and Unexpired Leases; and (II) an Order Authorizing the Sale of Property Free and Clear of All Claims, Liens and Encumbrances

EH_____

[Tele. appr., Gary W. Marsh, repr., Air Force Village West, Inc., et al.]

[Tele. appr., Paul E. Harner, repr., KBC Bank NV - LISTEN ONLY]

[Tele. appr., Jed Morris, repr., Westmont Living, Inc. - LISTEN ONLY]

Docket 109

***** VACATED *** REASON: Cont. to 5/14/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, April 18, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#23.00

Hrg on Emergency Motion of Debtor for Interim and Final Orders (A) Authorizing the Debtor to Obtain Post Petition Financing, (B) Authorizing the Debtor to Use Cash Collateral, and (C) Granting Adequate Protection to Prepetition Lenders Pursuant to 11 U.S.C. Sections 105, 363, 364, 1107 and 1108

EH ____

(Cont. from 3/14/19)

[Tele. appr., Gary W. Marsh, repr., Air Force Village West, Inc., et al.]

[Tele. appr., Paul E. Harner, repr., KBC Bank NV - LISTEN ONLY]

[Tele. appr., Jed Morris, repr., Westmont Living, Inc. - LISTEN ONLY]

Docket 12

Tentative Ruling:

Tentative for 4/18/19:

Appearances required. The Court strongly prefers, but does not require, that any party intending to participate in any oral argument or presentation to the Court, including but not limited to counsel for the Debtor, the Committee for Unsecured Creditors, any secured creditors, and any government entities, appears in person in Santa Ana.

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

10:00 AM

8:19-10123 Lisa A. Henry

Chapter 7

#1.00

Motion for relief from stay [Personal Property]

Santander Consumer USA, Inc., dba Chrysler Capital As Servicer For CCAP Auto Lease Ltd. vs. DEBTOR; And Jeffrey I. Golden, Trustee
(Motion filed 3/22/19)

[RE: 2017 Dodge Journey - VIN 3C4PDCGG1HT582101]

[Tele. appr., John H. Kim, repr., Santander Consumer USA, Inc.]

Docket 24

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Lisa A. Henry

Represented By
Kelly H. Zinser

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

10:00 AM

8:19-10093 Hung Nguyen

Chapter 7

#1.10

Motion for relief from stay [Unlawful Detainer]

Wenjun Han vs. DEBTOR
(Motion filed 3/28/19)
(Amended Motion filed 3/31/19)

[RE: 23 Ebb Tide Circle, Newport Beach, CA 92663]

Docket 48

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver and annulment, as requested.

Movant has provided evidence that its actions in obtaining an unlawful detainer judgment after Debtor's bankruptcy case was filed were taken without knowledge of the automatic stay. Further, Debtor has not provided any evidence that annulment is not warranted. Pursuant to 11 U.S.C. § 362(g), debtor bears the burden of proof on this issue. *See also Souang v. Fularon*, 2011 Bankr. LEXIS 4335 (9th Cir. BAP 2011) ("[T]he debtor bears the ultimate burden of proving that the request for retroactive relief from the stay should be denied.").

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Hung Nguyen

Represented By
Alex L Benedict

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

10:00 AM

CONT... Hung Nguyen

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:14-14105 Randall William Blanchard

Chapter 11

#2.00

CONT'D POST-CONFIRMATION STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 7/1/14) (Set per Order Confirming Plan Entered 9-25-15)

FR: Advanced from 8-21-14; Advanced from 8-7-14 at 11:00 a.m.; 8-7-14; 12-11-14; 1-15-15; 1-29-15; 5-7-15; 7-9-15; 9-17-15; 4-14-16; 4-28-16; 10-13-16; 4-20-17; 4-19-17: Advanced from 4-19-18; 4-5-18; 10-18-18; 10-25-18

Docket 1

Tentative Ruling:

Tentative for 4/18/18:

The Court has received and reviewed the post-confirmation status report filed 4/4/19 [Dk. 779] and will CONTINUE the status conference to October 17, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Randall William Blanchard

Represented By
Marc J Winthrop
Garrick A Hollander
Jacob C Gonzales

Trustee(s):

Richard Pachulski (TR)

Represented By
Teddy M Kapur
Jeremy V Richards

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:15-10721 American Spectrum Realty Inc., a Maryland Corporat

Chapter 11

#3.00

CONT'D POST CONFIRMATION STATUS CONFERENCE Hearing: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 2/13/15) (Plan Confirmed on 7/8/16) (Set per Order Entered 7/8/16)

FR: 7-23-15; 1-7-16; 3-3-16; 3-31-16; 6-23-16; 11-16-16; 11-17-16; 11-30-16; 12-1-16, 5-11-17; 12-14-17; 5-31-18; 8-23-18; 1-31-19

[Tele. appr., Melissa R. Davis Lowe, repr., D&A Daily]

Docket 1

Tentative Ruling:

Tentative for 4/18/18:

The Court has received and reviewed the post-confirmation status report filed 4/4/19 [Dk. 1765] and will CONTINUE the status conference to October 17, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 8/23/18 is to CONTINUE this matter to January 31, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 5/31/18:

The Court has received and reviewed the status report filed on 5/23/18 [Dk. 1728]. This matter is CONTINUED to 8/23/18 at 11:00 a.m. A status report is due 14 days in advance.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

CONT... American Spectrum Realty Inc., a Maryland Corporat
Appearances are excused.

Chapter 11

Tentative for 12/14/17:

The Court has received and reviewed the status report filed on 12/1/17 [Dk. 1688]. This matter is CONTINUED to 5/31/18 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 5/11/17:

The Court has received and reviewed the status report filed on 4/27/17 [Dk. 1564]. This matter is CONTINUED to 12/14/17 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

American Spectrum Realty Inc., a

Represented By
Robert E Opera
Peter W Lianides
Andrew B Levin

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#4.00

Hearing RE: Motion Of The Litigation Trustee For Order Reducing And Allowing Filed Amended Claim 43-2 Of Orange County Health Care Agency (Motion filed 3/1/19)

Claim No. 43-2 Orange County Health Care Agency \$353,946.49

Docket 574

Tentative Ruling:

Tentative for 4/18/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room

5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#5.00

Hearing RE: Seventh Omnibus Motion For Order Disallowing Claims:
(Motion filed 3/1/19)

Claim No. 38	James Hernandez	\$113,341.00
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Claim No. 59	James Hernandez	\$1,000,000.00
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Docket 578

Tentative Ruling:

Tentative for 4/18/19 is to CONTINUE to June 13, 2019, at 11:00 a.m., to allow Movant to submit supplemental evidence.

The only evidence in support of this claim objection is the declaration of Mirco J. Haag, which provides at ¶4:

At my direction, a member of my staff communicated and worked with Debtor's counsel to determine the validity and extent of all of the claims at issue in this case. It is my understanding that the claims by Mr. Hernandez were discussed, in an effort to better understand objectionable claims. Neither Debtor nor Debtor's counsel provided support for Mr. Hernandez's claims.

This is insufficient.

Appearances for the 4/18/19 hearing are excused.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By

Michael R Totaro

Linda F Cantor ESQ

Victoria Newmark

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

CONT...

**California Hispanic Commission on Drug and Alcohol
Nancy S Goldenberg**

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room

5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#6.00

Hearing RE: Motion Of The Litigation Trustee For Order Disallowing Filed Claim 2-2 Of Orange County Tax Collector As Not An Obligation Of The Debtor (Motion filed 2/28/19)

Claim No. 2-2 Orange County Tax Collector \$13,224.78

Docket 568

Tentative Ruling:

Tentative for 4/18/19 is to CONTINUE to June 13, 2019, at 11:00 a.m., to allow Movant to effect proper service on claimant.

LBR 3007-1(b)(2) requires service "on the claimant at the address disclosed by the claimant in its proof of claim *and* such other addresses and upon such parties as may be required by FRBP 7004 and other applicable rules." (emphasis added). FRBP 7004(b)(3) requires that a corporation, partnership or other unincorporated association be served "to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment of law to receive service of process." FRBP 7004(b)(6) requires that a "state or municipal corporation or other governmental organization thereof" must be served "to the person or office upon whom process is prescribed to be served by the law of the state in which service is made." Where the address listed on the proof of claim differs from or does not comply with FRBP 7004, as stated on the Court's website, this Court requires the claim objection to be served on both addresses.

It appears that Claimant was not served with either the Notice or Objection in accordance with FRBP 7004. Movant must properly serve claimant with the Objection and notice of the Objection and continued hearing date in accordance with LBR 3007-1(b), and file the appropriate notice and/or proof of service.

Appearances are excused for 4/18/19.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol

Chapter 11

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#7.00

Hearing RE: Motion Of The Litigation Trustee For Order Disallowing Filed Claim 63-2 Of Jimmy Milligan As Improperly Classified And No Liability Owed (Motion filed 2/28/19)

Claim No. 63-2 Jimmy Milligan \$126,360.00

Docket 570

Tentative Ruling:

Tentative for 4/18/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#8.00

Hearing RE: Motion Of The Litigation Trustee For Order Disallowing Filed Claim:
(Motion filed 2/28/19)

Claim No. 37	Long Term Care Properties, Inc.	\$3,976,875.50
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Docket 564

Tentative Ruling:

Tentative for 4/18/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:16-12856 Michael Edward Favreau
Adv#: 8:16-01229 Ruiz et al v. Favreau

Chapter 11

#9.00

CONT'D STATUS CONFERENCE Hearing RE: Amended Complaint To The Nondischargeability Of Certain Debts Owed By Debtor Michael Edward Favreau To Christopher P. And Theresa Ruiz Pursuant To 11 U.S.C. Section 523 (Complaint filed 10/17/16) (Amended Complaint filed 2/13/17)

FR: 1-12-17; 3-16-17; 4-20-17; 6-19-17; 12-14-17; 1-11-18; 5-3-18; 10-18-18; 10-25-18

Docket 16

Tentative Ruling:

Tentative for 4/18/19:

This matter is CONTINUED to December 19, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 10/25/18:

This matter is CONTINUED to April 18, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 5/03/18:

The Court has received and reviewed the status report filed 4/19/18 [Dk. 28] and will CONTINUE this matter to October 18, 2018 at 11:00 a.m. A status report is due 14 days in advance.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

CONT... Michael Edward Favreau
Appearances are excused.

Chapter 11

Party Information

Debtor(s):

Michael Edward Favreau

Represented By
Robert P Goe

Defendant(s):

Michael Edward Favreau

Pro Se

Plaintiff(s):

Christopher P. Ruiz

Represented By
John W Lucas

Theresa-Keane Ruiz

Represented By
John W Lucas

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:17-11743 Cecilio Romero Murrietta and Irma Bonilla Murrietta

Chapter 11

#10.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 5/1/17)

FR: 6-15-17; 6-29-17; 9-14-17; 10-5-17; 12-7-17; 12-14-17; 2-22-18; 5-31-18; 8-23-18; 1-31-19

[Tele. appr., Beth Gaschen, repr., Trustee]

Docket 1

Tentative Ruling:

Tentative for 4/18/19:

The Court is inclined to set the following dates/deadlines:

1. Deadline to file a plan and disclosure statement - June 30, 2019.
2. A Continued Chapter 11 Status Conference - August 15, 2019 at 11:00 a.m. A status report is due 14 days in advance.

The Trustee (himself or through his counsel) should be prepared to orally provide the Court with a current and projected financial overview of Debtor, including a summary of all claims.

Appearances required.

Party Information

Debtor(s):

Cecilio Romero Murrietta

Represented By
Andrew S Bisom

Joint Debtor(s):

Irma Bonilla Murrietta

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

CONT...

**Cecilio Romero Murrietta and Irma Bonilla Murrietta
Andrew S Bisom**

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#11.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 5/18/17) (Amended S/C Order Entered 6-9-17)

FR: 7-13-17; 10-19-17; 1-25-18; 5-31-18; 7-12-18; 9-20-18; 12-20-18

Docket 1

Tentative Ruling:

Tentative for 4/18/19:

The Court has received and reviewed the Eighth Chapter 11 Status Report and Second Post-Confirmation Status Report for LVNV Multi Family, LLC, filed April 4, 2019 [Dk. 844], and, noting that neither the Committee nor any other party has filed its own status report or requested to be heard at the status conference, will CONTINUE this status conference to September 19, 2019, at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 9/20/18 is to set a continued status conference date of December 20, 2018 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Tentative for 12/20/18:

The Court has received and reviewed the Seventh Chapter 11 Status Report and First Post-Confirmation Status Report for LVNV Multi Family, LLC, filed on December 6, 2018 [Dk. 726], and, noting that neither the Committee nor any other party has filed its own status report or requested to be heard at the status conference, will CONTINUE this status conference to April 18, 2019, at

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 9/20/18 is to set a continued status conference date of December 20, 2018 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Tentative for 7/12/18:

The Court has received and reviewed the status conference reports filed by the Debtors on 6/28/18 [Dk. 524] and Unsecured Creditors' Committee on 7/5/18 [Dk. 527]. The Court would like to hear the Debtors' response to the concerns raised by the Unsecured Creditors' Committee and is inclined to set a continued status conference on November 29, 2018 at 11:00 a.m.

Appearances required.

Tentative for 5/31/18:

The Court has received and reviewed the status report filed by Debtors on 5/17/18 [Dk. 479], the Statement of the Official Committee of Unsecured Creditors filed on 5/17/18 [Dk. 478], and the Statement re: Continued Status Conference filed by Creditors/ Equity Holders Census Asset Management Group and Census Multi Family Fund LVN on 5/16/18 [Dk. 477].

The Court is inclined to set a continued status conference date of 10/4/18 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Tentative for 10/19/17:

Is to set a continued status conference for January 25, 2018 at 11:00 a.m. with a status report due 14 days in advance.

Appearances are excused for the 10/19/17 hearing.

Tentative for 7/13/17:

The Court has received and reviewed the Status Report filed on 6/29/17 [Dk. 112]. The Court is inclined to set a continued status conference on 10/19/17 at 11:00 a.m., with a status report due 14 days in advance. The Parties should be prepared to discuss the setting of Chapter 11 deadlines with the Court.

Appearances required.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#12.00

Hearing RE: Disclosure Statement Describing Joint Chapter 11 Plan Of Liquidation Of PMB Managed Fund, LLC, And Alabama Housing Fund, LLC (D.S. filed 3/7/19)

Docket 0

Tentative Ruling:

Tentative for 4/18/19 is to GRANT.

Appearances required.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:17-12660 Chrestotes, Inc

Chapter 11

#13.00

POST-CONFIRMATION STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 7/1/17)
(Set at Confirmation Hearing on 10/25/18)

FR: 8-17-17; 1-11-18; 3-8-18; 4-5-18; 5-31-18; 7-12-18; 8-2-18; 10-18-18; 10-25-18

Docket 1

Tentative Ruling:

Tentative for 4/18/19:

The Court has received and reviewed the Declaration of Default and Request for Hearing Regarding Default Under the Plan filed by Debtor's attorney, David Tilem, on March 29, 2019 [Dk. 269]. As of the posting of this Tentative, no post-confirmation status report has been filed. The Court requires a briefing of the status of Debtor's performance for all post-confirmation requirements, not just payments to Debtor's counsel.

The Court is inclined to issue an Order to Show Cause why the case should not be converted to Chapter 7 for Debtor's failure to perform under the terms of the Plan ("OSC").

Debtor and its counsel should both appear at the hearing, brief the Court as to the status of Debtor's performance under the terms of the plan, and propose a hearing date and briefing schedule for the OSC.

Appearances required.

Party Information

Debtor(s):

Chrestotes, Inc

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

CONT... Chrestotes, Inc

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:17-12753 David Vincent Ross and Cheri LeAnn Ross

Chapter 11

#14.00

CONT'D Hearing RE Post Confirmation Report RE: Fourth Amended Chapter 11 Plan Of Reorganization
(Set at Third Amended D.S. hearing held 6-7-18)
(Second Amended D.S. filed 3/29/18)
(Third Amended D.S. filed 5/16/18)
(Fourth Amended D.S. filed 6/14/18)
(Fourth Amended Plan filed 6/20/18)
(Set at Fourth Amended Ch. 11 Plan hearing held 8/23/18)

FR: 1-16-19

Docket 154

Tentative Ruling:

Tentative for 4/18/19:

The Court has received and reviewed the status report filed on April 3, 2019 [Dk. 213], and will set a CONTINUED status conference date of September 19, 2019, at 11:00 a.m. A status report is due 14 days in advance.

The Court notes that the Status Report contains the following representation:

Debtor issued payment CitiMortgage as required under the stipulation and plan, but the payment was refused and returned to the Debtor. Pursuant to the terms and provisions of the confirmed Chapter 11 Plan, the failure of CitiMortgage to process the payment within 60 days of the date of the check has relieved the Debtors of any further payment obligations to CitiMortgage.

Status Report, pg. 5:12-17.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

CONT... David Vincent Ross and Cheri LeAnn Ross

Chapter 11

This representation is inconsistent with the language in Stipulation re Treatment of Claim under Debtors Proposed Chapter 11 Plan, filed on March 29, 2019 [Dk. 135], and incorporated into the Fourth Amended Chapter 11 Plan [Dk. 175] as Exhibit H to the Fourth Amended Disclosure Statement [Dk. 165]. However, the status of payments or requirement for future payments to CitiMortgage pursuant to the plan is not presently at issue before the Court, and the Court makes no ruling at this time.

Appearances are required.

Party Information

Debtor(s):

David Vincent Ross

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Cheri LeAnn Ross

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:18-12720 Tina Hong-Ngoc Trinh

Chapter 11

#15.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 7/24/18)

FR: 9-13-18; 9-20-18; 12-20-18; 3-21-19

Docket 1

Tentative Ruling:

Tentative for 4/18/19:

None listed.

Tentative for 3/21/19:

The Court has received and reviewed the status report filed on March 6, 2019 [Dk. 45]. The Status Conference is CONTINUED to April 19, 2019 at 11:00 a.m. to coincide with the hearing on the Disclosure Statement filed on February 19, 2019, [Dk. 42]. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 12/20/18:

The Court has received and reviewed the status report filed on December 5, 2018 [Dk. 36]. The Status Conference is CONTINUED to March 21, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 9/20/18 is to set the dates/deadlines, as follows:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

CONT... Tina Hong-Ngoc Trinh

Chapter 11

1. Deadline to file a plan and disclosure statement - November 30, 2018.
2. Continued status conference - December 20, 2018 at 11:00 a.m. A status report is due 14 days in advance.
3. Bar Date: December 15, 2018, with service by no later than September 30, 2018.

Debtor is to submit a scheduling order within seven (7) days.

Party Information

Debtor(s):

Tina Hong-Ngoc Trinh

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:18-12720 Tina Hong-Ngoc Trinh

Chapter 11

#16.00

Hearing RE: Motion For Order Approving Disclosure Statement As Containing Adequate Information Pursuant To Bankruptcy Code Section 1125(a)(1)(b) (Motion filed 2/19/19) (D.S. filed 2/19/19)

Docket 43

Tentative Ruling:

Tentative for 4/18/19:

The U.S. circuit courts of appeals are split as to whether a bankruptcy court has the authority to approve chapter 11 plan provisions that, over the objection of creditors or other stakeholders, release specified nondebtors from liability and/or enjoin dissenting stakeholders from asserting claims against such nondebtors. The minority view, held by the Ninth, Fifth, and Tenth Circuits, bans such nonconsensual releases on the basis that section 524(e) of the Bankruptcy Code, which provides generally that "discharge of a debt of the debtor does not affect the liability of any other entity on, or the property of any other entity for, such debt," prohibits them. *See In re Lowenschuss*, 67 F.3d 1394 (9th Cir. 1995); *Bank of N.Y. Trust Co. v. Official Unsecured Creditors' Comm. (In re Pac. Lumber Co.)*, 584 F.3d 229 (5th Cir. 2009); *In re W. Real Estate Fund, Inc.*, 922 F.2d 592 (10th Cir. 1990).

The proposed plan attempts to enjoin Class 5 claimants from demanding payments from nondebtor parties in the event of non-default by the Debtor under the provisions of the confirmed plan. This is impermissible in the Ninth Circuit absent affirmative consent from the Class 5 claimants. Such a provision shall impact confirmation of the Plan.

Appearances required.

Party Information

Debtor(s):

Tina Hong-Ngoc Trinh

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

CONT... Tina Hong-Ngoc Trinh

Michael Jones
Sara Tidd

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#17.00

Hearing RE: Objection To The Claims:
(Objection filed 3/4/19)

Claim No. 6 Maria Arellano \$1,076,304.85

Claim No. 8 Maria Arellano \$1,076,304.85

**OFF CALENDAR - WITHDRAWAL OF DUPLICATE PROOF OF CLAIM NO. 8
ONLY FILED 3-19-19 - [DOCKET NO. 129]**

[Tele. appr., Thomas H. Casey, repr., Thomas H. Casey]

Docket 95

Tentative Ruling:

Revised tentative for 4/18/19:

The Court has received the Stipulation to Continue that was filed on 4/17/19 [Dk. 157] between the Trustee and Respondents. The Court notes that it was filed the afternoon before the hearing, with no notification or courtesy copy to Chambers *and* it does not include Debtor, who is the moving party, or even reference Debtor's position as to the Stipulation.

Appearances required.

Tentative for 4/18/19 is to DENY without prejudice.

On March 28, 2019 [Dk. 139] the Court entered an order converting this case to Chapter 7. In light of the conversion and the pending related state court appeal, it is not clear that Debtor will have standing to prosecute this claim objection. Debtor has not established whether this is likely to be a surplus estate, and the appeal related to the underlying claim is property of the Estate. Accordingly, the Court is inclined to OVERRULE the objection without prejudice to the refile of a claim objection by the chapter 7 Trustee or

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

CONT... Brooks T Morgan

Chapter 7

Debtor, providing Debtor establishes he has standing.

Appearances required.

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room

5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#18.00

Hearing RE: Objection To The Claims:
(Objection filed 3/4/19)

Claim No. 7 Joanna Lopez \$1,076,304.85

Claim No. 9 Joanna Lopez \$1,076,304.85

**OFF CALENDAR - WITHDRAWAL OF DUPLICATE PROOF OF CLAIM NO. 9
ONLY FILED 3-19-19 - [DOCKET NO. 129]**

[Tele. appr., Thomas H. Casey, repr., Thomas H. Casey]

Docket 97

Tentative Ruling:

Tentative for 4/18/19:

Please see tentative for matter #17, which is equally applicable to this matter.

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, April 18, 2019

Hearing Room 5C

11:00 AM

8:19-10710 MyTailor.com

Chapter 11

#19.00

STATUS CONFERENCE Hearing RE: (1) Case Management Conference And
(2) Requiring Status Report
(Petition filed 2/27/19)

Docket 0

Tentative Ruling:

Tentative for 4/18/19 is to set the following dates/deadlines:

1. Deadline for filing a plan and disclosure statement: October 17, 2019. Note: the failure to timely file a plan and disclosure statement may result in the conversion or dismissal of the case.
2. Deadline for filing Proofs of Claims: June 27, 2019 ("Claims Bar Date").
3. Deadline for serving Notice of Claims Bar Date: April 25, 2019.
4. Deadline for filing Objections to Claim: August 15, 2019
5. Deadline for filing Avoidance Actions: August 15, 2019
6. Continued status conference: December 5, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Party Information

Debtor(s):

MyTailor.com

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Tuesday, April 23, 2019

Hearing Room 5C

9:30 AM

6:17-17237 Gabriela Rodriguez

Chapter 7

Adv#: 6:17-01253 Zamora et al v. Rodriguez

#1.00

TRIAL re: Complaint by Hilda H Zamora, Caronna, Johnson & Zamora, LLP
against Gabriella Rodriguez - 523(a)(5), (a)(15)

EH_____

(Cont. from 3/26/19)

Docket 1

Tentative Ruling:

Tentative for 4/23/19:

Appearances are required in Santa Ana. No telephonic appearances are permitted.

Party Information

Debtor(s):

Gabriela Rodriguez

Represented By
Edgar P Lombera

Defendant(s):

Gabriella Rodriguez

Pro Se

Plaintiff(s):

Hilda H Zamora

Represented By
Leonard J Cravens

Caronna, Johnson & Zamora, LLP

Represented By
Leonard J Cravens

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Tuesday, April 23, 2019

Hearing Room 5C

9:30 AM

CONT... Gabriela Rodriguez

Chapter 7

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, April 25, 2019

Hearing Room 126

10:00 AM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#1.00

Hrg. on Emergency Motion Of Debtor And Debtor In Possession For An Order Limiting Scope Of Notice

(Tele. appr., David Reeder, rep. Creditor Prime Development NV LLC)

EH _____

Docket 10

Tentative Ruling:

Tentative for 4/24/19:

Appearances are required. Appearances by all counsel are preferred, but not required, in Santa Ana.

In addition, the primary inside and/or outside accountant/bookkeeper for the Debtor should appear in person in Santa Ana, and be prepared to testify under oath regarding Debtor's finances.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, April 25, 2019

Hearing Room 126

10:00 AM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#2.00

Hrg. on Emergency Motion Of Debtor And Debtor In Possession For An Order: (1) Authorizing Use Of Cash Collateral On An Interim Basis Pursuant To Cash Collateral Stipulation; (2) Granting Replacement Liens; (3) Scheduling A Final Hearing On Permanent Use Of Cash Collateral; And (4) After Hearing, Authorizing Permanent Use Of Cash Collateral

(Tele. appr., David Reeder, rep. Creditor Prime Development NV LLC)

EH _____

Docket 11

Tentative Ruling:

Tentative for 4/24/19:

Appearances are required. Appearances by all counsel are preferred, but not required, in Santa Ana.

In addition, the primary inside and/or outside accountant/bookkeeper should appear in person in Santa Ana, and be prepared to testify under oath regarding Debtor's finances.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, April 25, 2019

Hearing Room 126

10:00 AM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#3.00

Hrg. on Emergency Motion Of Debtor And Debtor In Possession For An Order Authorizing Debtor To Pay Pre- Petition: (1) Wages, Salaries, And Other Compensation; (2) Employee Medical, Workers Compensation, And Similar Benefits; (3) Employee Deductions; And (4) Authorizing And Directing Applicable Banks And Other Financial Institutions To Receive, Process, Honor, And Pay Checks Presented For Payment And To Honor Funds Transfer Requests Relating To the Foregoing

(Tele. appr., David Reeder, rep. Creditor Prime Development NV LLC)

EH _____

Docket 12

Tentative Ruling:

Tentative for 4/24/19:

Appearances are required. Appearances by all counsel are preferred, but not required, in Santa Ana.

In addition, the primary inside and/or outside accountant/bookkeeper should appear in person in Santa Ana, and be prepared to testify under oath regarding Debtor's finances.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, April 25, 2019

Hearing Room 126

10:00 AM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#4.00

Hrg. on Emergency Motion Of Debtor And Debtor In Possession For Entry Of An Order Authorizing Debtor To Maintain Pre-Petition Accounts

(Tele. appr., David Reeder, rep. Creditor Prime Development NV LLC)

EH _____

Docket 13

Tentative Ruling:

Tentative for 4/24/19:

Appearances are required. Appearances by all counsel are preferred, but not required, in Santa Ana.

In addition, the primary inside and/or outside accountant/bookkeeper should appear in person in Santa Ana, and be prepared to testify under oath regarding Debtor's finances.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, April 25, 2019

Hearing Room 126

10:00 AM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#5.00

Hrg. on Emergency Motion Of Debtor And Debtor In Possession For Entry Of An Order Authorizing Debtor To Reject Certain Unexpired Real Property Leases Pursuant To 11 U.S.C. § 365

(Tele. appr., David Reeder, rep. Creditor Prime Development NV LLC)

EH _____

Docket 14

Tentative Ruling:

Tentative for 4/24/19:

Appearances are required. Appearances by all counsel are preferred, but not required, in Santa Ana.

In addition, the primary inside and/or outside accountant/bookkeeper should appear in person in Santa Ana, and be prepared to testify under oath regarding Debtor's finances.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

6:18-18793 Oscar Sanchez

Chapter 7

#1.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

ACAR Leasing LTD d/b/a GM Financial Leasing vs. DEBTOR, John P. Pringle,
trustee
(Motion filed 4/4/19)

Re: 2016 Chevrolet Malibu, VIN: 1G1ZE5STXGF227631

EH _____

Docket 52

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Oscar Sanchez

Represented By
Douglas A Plazak

Movant(s):

ACAR Leasing LTD d/b/a GM

Represented By
Jennifer H Wang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

CONT... Oscar Sanchez

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

6:19-10665 Flowmedia Solutions

Chapter 7

#2.00

Gordon Rees Scully Mansukhani LLP - movant attorney

Motion for Relief from Stay

HOSOPO Corporation vs. DEBTOR
(Motion filed 3/28/19)

Re: ACTION IN NON-BANKRUPTCY FORUM

EH_____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1), as narrowly described in the motion. The request that the relief be binding in any future case is denied as Movant has not provided any facts demonstrating that such relief is warranted.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Flowmedia Solutions

Represented By
Robert B Rosenstein

Movant(s):

dba Horizon Solar Power HOSOPO

Represented By
Shelby A Potet

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

CONT... Flowmedia Solutions

Chapter 7

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

6:19-10746 Francia Helena Cifuentes

Chapter 7

#3.00

Shapiro, Van Ess, Sherman & Marth, LLP - movant

Motion for Relief from Stay

U.S. Bank National Association vs. DEBTOR
(Motion filed 4/2/19)

Re: 11391 NW 35th Pl, Sunrise, FL 33323

Docket 13

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Francia Helena Cifuentes

Represented By
Carey C Pickford

Movant(s):

U.S. Bank National Association, as

Represented By
Angie M Marth

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

6:19-11138 Josefina Montoya De Avendano

Chapter 7

#4.00

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 3/22/19)

Re: 2015 Scion FR-S

EH_____

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Josefina Montoya De Avendano

Represented By
Edgar P Lombera

Movant(s):

Toyota Motor Credit Corporation

Represented By
Austin P Nagel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

CONT... Josefina Montoya De Avendano

Chapter 7

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

6:19-11520 Antuan Turner

Chapter 7

#5.00

Stacey A. Miller, Esq. - movant attorney

Motion for Relief from Stay

Porsche Leasing Ltd. and Porsche Financial Services, Inc. vs. DEBTOR
(Motion filed 3/29/19)

Re: 2016 Porsche Panamera

EH_____

Docket 12

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Antuan Turner

Represented By
Julie J Villalobos

Movant(s):

Porsche Financial Services, Inc.

Represented By
Stacey A Miller

Porsche Leasing Ltd.

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

CONT... Antuan Turner

Stacey A Miller

Chapter 7

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

6:19-11659 Yuvia Del Alma Tuyu

Chapter 7

#6.00

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 3/25/19)

Re: 2017 Toyota Tundra

EH_____

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Yuvia Del Alma Tuyu

Represented By
Joseph A Weber

Movant(s):

Toyota Motor Credit Corporation

Represented By
Austin P Nagel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

CONT... Yuvia Del Alma Tuyu

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

6:19-11974 Abraham Flores and Susana Flores

Chapter 7

#7.00

French Lyon Tang - movant attorney

Motion for Relief from Stay

Bank of the West vs. DEBTORS
(Motion filed 4/8/19)

Re: 2009 Winnebago Adventurer M-35Z Ford Motor Home

EH_____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Abraham Flores

Represented By
Jonathan R Preston

Joint Debtor(s):

Susana Flores

Represented By
Jonathan R Preston

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

CONT... Abraham Flores and Susana Flores

Chapter 7

Movant(s):

BANK OF THE WEST

Represented By
Mary Ellmann Tang

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

6:19-12859 Jaya C Woodson

Chapter 7

#8.00

Law Offices of William Windham - movant attorney

Motion for Relief from Stay

Pal Villa Park 8 West, Inc. vs. DEBTOR
(Motion filed 4/9/19)

Re: 1520 N. Palm Ave. Rialto, 92376

EH _____

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jaya C Woodson

Pro Se

Movant(s):

Pal Villa Park 8 West Inc.

Represented By
William E Windham

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

CONT... Jaya C Woodson

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

6:19-12776 Ruby Kaye Rehder

Chapter 7

#8.10

Nussbaum APC - movant attorney

Motion for Relief from Stay

Magnum Property Investments, LLC vs. DEBTOR
(Motion filed 4/15/19)

Re: 30983 Murrieta Road Menifee, CA 92584

EH_____

Docket 13

Tentative Ruling:

Tentative for 4/30/19 is to GRANT pursuant to 11 U.S.C. §§ 362 (d)(1) and 362(d)(2) with 4001(a)(3) waiver. The request for extraordinary relief is denied as Movant has not submitted evidence demonstrating such relief is warranted.

Debtor's opposition filed April 17, 2019 [Dk. 15] is overruled as Movant has demonstrated that it possesses a colorable claim.

[M]otions for relief from stay are summary proceedings. *Id.*; see also *Grella v. Salem Five Cent Sav. Bank*, 42 F.3d 26, 33 (1st Cir. 1994) ("We find that a hearing on a motion for relief from stay is merely a summary proceeding of limited effect, and . . . a court hearing a motion for relief from stay should seek only to determine whether the party seeking relief has a colorable claim to property of the estate."); *Johnson v. Righetti (In re Johnson)*, 756 F.2d 738, 740-41 (9th Cir. 1985) ("Hearings on relief from the automatic stay are thus handled in a summary fashion. The validity of the claim or contract underlying the claim is not litigated during the hearing.").

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

10:00 AM

CONT... Ruby Kaye Rehder

Chapter 7

Budd v. Fid. Asset Mgmt., LLC (In re Budd), 2011 Bankr. LEXIS 4317 (B.A.P. 9th Cir. July 12, 2011).

Appearances required.

Party Information

Debtor(s):

Ruby Kaye Rehder

Pro Se

Movant(s):

Magnum Property Investments LLC

Represented By
Lane M Nussbaum

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

11:00 AM

6:14-24169 Roberto Del Castillo

Chapter 7

#9.00

Hrg. on Trustee's final report; applications for compensation

EH_____

Docket 108

Tentative Ruling:

Tentative for 4/30/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Roberto Del Castillo

Pro Se

Trustee(s):

Arturo Cisneros (TR)

Represented By
Matthew Grimshaw
Martin L Waterman
Michael Alder
D Edward Hays

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

11:00 AM

6:16-13517 Luis Burgos Jr.

Chapter 7

#10.00

Hrg. on Trustee's final report; applications for compensation

EH_____

Docket 53

Tentative Ruling:

Tentative 4/30/19 is to APPROVE as requested, except that \$540.00 in fees by Malcolm & Cisneros, A Law Corporation related to its employment application are disallowed.

The "preparation of an application for employment of a professional is a duty generally performed by a trustee without the assistance of an attorney." See *In re Garcia*, 335 B.R. 717, 725 (B.A.P. 9th Cir. 2005) (where BAP affirmed the denial of fees related to trustee's counsel's employment application in Chapter 7 case, where counsel was retained to negotiate an equity buy back and sell property of the estate). The Applicant has not demonstrated that the employment application was not routine, which remains a trustee duty. *Id.*

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Luis Burgos Jr.

Represented By
Gregory D Angus

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

11:00 AM

CONT... Luis Burgos Jr.

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Represented By
Dane W Exnowski
Christina J O

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

11:00 AM

6:18-14508 Jesus Michael Rodriguez

Chapter 7

#11.00

Hrg. on chapter 7 trustee's Motion filed 4/4/19 for Order (1) Approving Sale of real Property and Bidding Procedures; (2) Approving Sale Free & Clear of Liens; (3) Finding Buyer a Good Faith Purchaser; (4) Authorizing Payment of Real Estate Agent's Commission; (5) Requiring Turnover of the Property to Trustee; and (6) Waiving 14-Day Stay of Rule 6004(h)

EH _____

Docket 49

Tentative Ruling:

Tentative for 4/30/19:

Movant should be prepared to address the following issues:

1. Improper Service. Debtor was served at 16535 *Malloy* Drive, Fontana, CA 92335; Debtor's address as listed on the petition is, however, 16535 *Mallory* Drive, Fontana, CA 92335.
2. Turnover and waiver of FRBP 6004(h). Movant seeks an order waiving the 14-day stay in FRBP 6004(h), requiring Debtor to turn over the property within 5 days of the hearing, and authorizing Movant to dispose of remaining personal property. While the Court appreciates Movant's general interest in completing the sale expeditiously, the Court is concerned regarding the brevity of the proposed timeline. The Court is not inclined to waive the 14-day stay or order turnover within 5 days of the hearing without additional evidence regarding on the one hand, the urgency to close the sale, and on the other hand, potential harm to the Debtor from the shortened timeline, including Debtor's previous cooperation and present ability to comply with the turnover order.

Appearances required.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

11:00 AM

CONT... Jesus Michael Rodriguez

Chapter 7

Debtor(s):

Jesus Michael Rodriguez

Pro Se

Movant(s):

Karl T Anderson (TR)

Represented By
Robert P Goe
Goe & Forsythe LLP

Trustee(s):

Karl T Anderson (TR)

Represented By
Robert P Goe
Goe & Forsythe LLP

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

11:00 AM

6:18-14524 Corey M. Matteson and Ashley T. Matteson

Chapter 7

#12.00

Hrg. on Trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 4/30/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Corey M. Matteson

Represented By
C Scott Rudibaugh

Joint Debtor(s):

Ashley T. Matteson

Represented By
C Scott Rudibaugh

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

1:30 PM

6:15-12078 Orange County Nursery, Inc.

Chapter 11

#13.00

Hrg. on Chapter 11 Status Conference

EH_____

Docket 0

Tentative Ruling:

Tentative for 4/30/19:

The Court has received and reviewed the Status Reports filed by Debtor [Dk. 1109] and Minority Voting Trust [Dk. 1110] on April 16, 2019. This matter is CONTINUED to August 13, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Orange County Nursery, Inc.

Represented By

David S Kupetz

Steven Werth

Elissa Miller

Arthur Gutierrez Longoria

Tamar Terzian

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#14.00

Hrg. on Application filed 3/26/19 for Compensation and Reimbursement of Expenses of Illyssa I. Fogel & Associates, Former General Bankruptcy Counsel to the Debtor. for Illyssa I Fogel - Period: 8/6/2018 to 11/19/2018, Fee: \$104,190.00, Expenses: \$356.00

(Cont. from 4/16/19)

EH_____

Docket 194

***** VACATED *** REASON: Cont to 5/14/19 @ 1:30 p.m. by order signed on 4/17/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes

Peter W Lianides

Alastair M Gesmundo

Robert E Opera

Movant(s):

Illyssa I. Fogel

Represented By

Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#15.00

Hrg. on Application filed 3/26/19 for Compensation First Interim Application Of Winthrop Couchot Golubow Hollander, LLP, General Insolvency Counsel For The Debtor, Period: 11/19/2018 to 2/28/2019, Fee: \$235,755.50, Expenses: \$5671.58

(Cont. from 4/16/19)

EH_____

Docket 191

*** VACATED *** REASON: Cont. to 5/14/19 @ 1:30 by order signed 4/18/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes
Peter W Lianides
Alastair M Gesmundo
Robert E Opera

Movant(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes
Peter W Lianides
Alastair M Gesmundo
Robert E Opera

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#16.00

Evidentiary Hrg. on Debtor's Motion filed 1/4/19 to Disallow Claims Proof of Claim No. 3 filed by TD Capital, LLC & Disallow Claims Disallow Proof of Claim No. 4 filed by TD Capital, LLC

EH_____

Docket 75

***** VACATED *** REASON: Stipulation to dismiss without prejudice
filed on 3/22/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

Movant(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, April 30, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#17.00

Hrg. on Chapter 11 Status Conference

Docket 1

***** VACATED *** REASON: Cont. to 5/14/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 1, 2019

Hearing Room 126

10:00 AM

6:19-11141 Marisa A Salgado

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Hearing between Debtor and Cab West, LLC,
in the amount of \$4,979.43

Re: 2017 Ford Fusion

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Marisa A Salgado

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 1, 2019

Hearing Room 126

10:00 AM

6:19-11576 Raymond James Trejo and Kristen Ann Trejo

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement filed 4/12/19 Between Debtors and San Diego County Credit Union, in the amount of \$19,719.72

Re: 2008 Ford F250

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Raymond James Trejo

Represented By
Norma Duenas

Joint Debtor(s):

Kristen Ann Trejo

Represented By
Norma Duenas

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 1, 2019

Hearing Room 126

10:00 AM

6:19-11590 Denise Marie Herrera

Chapter 7

#3.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Gateway One Lending & Finance, LLC, in the amount of \$4,849.88

Re: 2007 Ford Truck

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Denise Marie Herrera

Pro Se

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 1, 2019

Hearing Room 126

10:00 AM

6:19-11591 Huizhao Wang

Chapter 7

#4.00

Hrg. on Approval of Reaffirmation filed 3/28/19 Between Debtor and Toyota Motor Credit Corporation, in the amount of \$3,475.63

Re: 2014 Hyundai Accent

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Huizhao Wang

Pro Se

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 1, 2019

Hearing Room 126

1:30 PM

6:13-28836 Ann Lighthall Marshall
Adv#: 6:19-01010 Pringle v. Marshall et al

Chapter 7

#14.00

Hrg. on Plaintiff's Motion filed 2/21/19 for Default Judgment
(per order entered 4/5/19)

EH_____

Docket 12

Tentative Ruling:

Tentative for 5/1/19 is to GRANT the Motion for Default Judgment, as modified by the supplemental briefing filed on 4/16/19 [Dk. 18].

Plaintiff is to upload an appropriate judgment within seven (7) days.

Appearances are excused.

Party Information

Debtor(s):

Ann Lighthall Marshall

Represented By
Karen E Lockhart

Defendant(s):

Ann Lighthall Marshall

Pro Se

Ann Lighthall Marshall

Pro Se

William S. Manley

Pro Se

William S. Manley

Pro Se

Plaintiff(s):

John P. Pringle

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 1, 2019

Hearing Room 126

1:30 PM

CONT... Ann Lighthall Marshall

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Patricia Miller
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 1, 2019

Hearing Room 126

1:30 PM

6:15-17631 Mario E. Najarro

Chapter 7

Adv#: 6:17-01237 U.S. Trustee v. Howard et al

#15.00

STATUS CONFERENCE re: Complaint by U.S. Trustee against Vincent D Howard, Howard Law P.C., Williamson & Howard LLP, Timothy Allen Reed. Complaint For Disgorgement Of Fees, Civil Penalties, And/Or Injunctive And Declaratory Relief

(Cont. from 11/28/18)

EH_____

Docket 1

***** VACATED *** REASON: Cont. to 7/17/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mario E. Najarro

Represented By
Timothy Reed
Jeffrey A Katz

Defendant(s):

Vincent D Howard

Pro Se

Howard Law P.C.

Pro Se

Williamson & Howard LLP

Pro Se

Timothy Allen Reed

Pro Se

Plaintiff(s):

U.S. Trustee

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 1, 2019

Hearing Room 126

1:30 PM

CONT... Mario E. Najarro

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 1, 2019

Hearing Room 126

1:30 PM

6:17-17601 Deborah McKay

Chapter 7

Adv#: 6:18-01056 Whitmore v. McKay V et al

#16.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against Alexander H. McKay V, Alexander H. McKay V as Trustee of the Alexander McKay V Living Trust. (Charge To Estate). (1) Determine that Property is Property of the Bankruptcy Estate; (2) Avoidance of Avoidable Transactions; and (3) To Recover Avoided Transactions Nature of Suit: (14 (Recovery of money/property - other)),(91 (Declaratory judgment))

(Cont. from 2/27/19)

EH_____

Docket 1

***** VACATED *** REASON: Cont. to 8/7/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Deborah McKay

Represented By
Natalie A Alvarado

Defendant(s):

Alexander H. McKay V

Pro Se

Alexander H. McKay V as Trustee

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Franklin C Adams

Trustee(s):

Robert Whitmore (TR)

Represented By
Franklin C Adams

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 1, 2019

Hearing Room 126

1:30 PM

CONT... Deborah McKay

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 1, 2019

Hearing Room 126

1:30 PM

6:17-19106 Timothy Edward Mathias

Chapter 7

Adv#: 6:19-01031 Mathias et al v. United States Department of Education et al

#17.00

STATUS CONFERENCE re: Complaint by Timothy Edward Mathias, Kirt Lee Edly against United States Department of Education, Ed Financial Services-523(a)(8)

EH_____

Docket 1

Tentative Ruling:

Tentative for 5/01/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: September 30, 2019. Note: this date includes the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: November 15, 2019. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: December 18, 2019 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Timothy Edward Mathias

Represented By
Jenny L Doling

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 1, 2019

Hearing Room 126

1:30 PM

CONT... Timothy Edward Mathias

Chapter 7

Defendant(s):

United States Department of Pro Se

Edfinancial Services Pro Se

Joint Debtor(s):

Kirt Lee Edly Represented By
Jenny L Doling

Plaintiff(s):

Timothy Edward Mathias Represented By
Jenny L Doling

Kirt Lee Edly Represented By
Jenny L Doling

Trustee(s):

Lynda T. Bui (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 1, 2019

Hearing Room 126

1:30 PM

6:18-17561 Nely Avelar

Chapter 7

Adv#: 6:19-01033 Bui v. Figueroa

#18.00

STATUS CONFERENCE re: Complaint by Lynda T. Bui against Marco Figueroa. (Charge To Estate). (\$350.00) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(11 (Recovery of money/property - 542 turnover of property)),(91 (Declaratory judgment))

Docket 1

***** VACATED *** REASON: Cont. to 8/14/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nely Avelar

Represented By
Suzette Douglas

Defendant(s):

Marco Figueroa

Pro Se

Plaintiff(s):

Lynda T. Bui

Represented By
Brandon J Iskander

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

8:16-15205 Stephen Matthew Huerth and Laura Elizabeth Huerth

Chapter 7

#5.00

Hearing RE: Objection To Claim:
(Motion filed 4/5/19)

Claim No. 16 Dickey's Barbecue Restaurants, Inc. \$2,090,187.62

Docket 0

***** VACATED *** REASON: CONTINUED TO JUNE 12, 2019 AT 11:00
A.M. PER JOINT STIPULATION TO CONTINUE HEARING ENTERED 4
-11-19 - (DOCKET NO. [57])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Stephen Matthew Huerth

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Laura Elizabeth Huerth

Represented By
Michael Jones
Sara Tidd

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael Jones
Leslie K Kaufman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

#6.00

Hearing RE: First Interim Fee Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For The Period From April 5, 2018 Through March 31, 2019
(Application filed 4/10/19)

**[RE: FORCE TEN PARTNERS, LLC - Field Agent And Financial Advisor To Richard Marshack, Chapter 7 Trustee]
[Fees: \$174,802.50; Expenses: \$3,196.63]**

Docket 405

Tentative Ruling:

Tentative for 5/1/19:

The Parties should be prepared to discuss what, if any, fees should be paid at this time.

Appearances required.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

#7.00

Hearing RE: First Interim Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For The Period From May 1, 2018 Through March 31, 2019
(Application filed 4/10/19)

[RE: SMILEY WANG-EKVALL, LLP - Special Counsel To Chapter 7 Trustee]

[For Luminance Health Group, Inc. (LHG Estate)]

[Fees: \$110,797.00; Expenses: \$8,776.75]

[For Luminance Recovery Center, LLC (LRC Estate)]

[Fees: \$11,826.00; Expenses: \$1,873.99]

Docket 393

Tentative Ruling:

Tentative 5/01/19:

The Parties should be prepared to discuss what, if any, fees should be paid at this time.

In addition, the Court will disallow \$1,631.50 in fees for the 4.20 hours of time related to preparation of Applicant's own employment application. The "preparation of an application for employment of a professional is a duty generally performed by a trustee without the assistance of an attorney." See *In re Garcia*, 335 B.R. 717, 725 (B.A.P. 9th Cir. 2005) (where BAP affirmed the denial of fees related to trustee's counsel's employment application in Chapter 7 case, where counsel was retained to negotiate an equity buy back and sell property of the estate). The Applicant has not demonstrated that the employment application was not routine, which remains a trustee duty. *Id.*

Appearances required.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

#8.00

Hearing RE: First Interim Application for Allowance of Fees And Costs By Marshack Hays LLP For The Period From April 5, 2018 Through February 28, 2019

(Application filed 4/10/19)

[RE: MARSHACK HAYS LLP - Attorneys For Chapter 7 Trustee]

[For Luminance Health Group, Inc. (LHG Estate)]

[Fees: \$8,357.00.; Expenses: \$309.84]

[For Luminance Recovery Center, LLC (LRC Estate)]

[Fees: \$149,998.00; Expenses: \$7,624.28]

Docket 394

Tentative Ruling:

Tentative 5/01/19:

The Parties should be prepared to discuss what, if any, fees should be paid at this time.

In addition, the Court will disallow \$829.00 in fees for the 2.5 hours of time related to preparation of Applicant's own employment application. The "preparation of an application for employment of a professional is a duty generally performed by a trustee without the assistance of an attorney." See *In re Garcia*, 335 B.R. 717, 725 (B.A.P. 9th Cir. 2005) (where BAP affirmed the denial of fees related to trustee's counsel's employment application in Chapter 7 case, where counsel was retained to negotiate an equity buy back and sell property of the estate). The Applicant has not demonstrated that the employment application was not routine, which remains a trustee duty. *Id.*

Appearances required.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

#9.00

Hearing RE: Amended First Interim Application For Compensation And Reimbursement Of Expenses For The Period From September 29, 2018 Through April 4, 2019
(Application filed 4/10/19) (Amended Application filed 4/10/19)

**[RE: GROBSTEIN TEEPLE, LLP - Accountants For The Chapter 7 Trustee]
[For Luminance Recovery Center, LLC]
[Fees: \$8,309.50; Expenses: \$244.77]**

Docket 396

Tentative Ruling:

Tentative for 5/1/19:

The Parties should be prepared to discuss what, if any, fees should be paid at this time.

Appearances required.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

#10.00

Hearing RE: First Interim Application For Compensation And Reimbursement Of Expenses For The Period From September 29, 2018 Through March 20, 2019
(Application filed 4/10/19)

**[RE: GROBSTEIN TEEPLE, LLP - Accountants For The Chapter 7 Trustee]
[RE: Luminance Health Group]
[Fees: \$15,148.50; Expenses: \$78.84]**

Docket 398

Tentative Ruling:

Tentative for 5/1/19:

The Parties should be prepared to discuss what, if any, fees should be paid at this time.

Appearances required.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

#11.00

Hearing RE: First Interim Application For Entry Of An Order Allowing And Awarding Payment Of Fees And Reimbursement Of Expenses For The Period From April 13, 2018 Up To And Through March 29, 2019.
(Application filed 4/10/19)

**[RE: REED SMITH, LLP - Special Counsel For Chapter 7 Trustee, Richard A. Marshack]
[Fees: \$175,323.00; Expenses: \$1,258.56]**

Docket 400

Tentative Ruling:

Tentative 5/01/19:

The Parties should be prepared to discuss what, if any, fees should be paid at this time.

In addition, the Court will disallow \$2,483.50 in fees for the 3.80 hours of time related to preparation of Applicant's own employment application. The "preparation of an application for employment of a professional is a duty generally performed by a trustee without the assistance of an attorney." See *In re Garcia*, 335 B.R. 717, 725 (B.A.P. 9th Cir. 2005) (where BAP affirmed the denial of fees related to trustee's counsel's employment application in Chapter 7 case, where counsel was retained to negotiate an equity buy back and sell property of the estate). The Applicant has not demonstrated that the employment application was not routine, which remains a trustee duty. *Id.*

Appearances required.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Beth Gaschen

Trustee(s):

Richard A Marshack (TR)

Represented By

D Edward Hays

David Wood

Kyra E Andrassy

Jeffrey I Golden

Beth Gaschen

Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

8:18-13145 James L Conkey

Chapter 7

Adv#: 8:18-01212 Saab et al v. Conkey

#12.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Debt
(Complaint filed 12/3/18)

FR: 2-27-19

Docket 1

Tentative Ruling:

Tentative for 5/01/19:

This matter is CONTINUED to 5/15/19 at 10:00 a.m. to coincide with the hearing on the motion to dismiss. A status report is not required for the continued hearing.

Appearances are excused.

Tentative for 2/27/19 is to CONTINUE to 5/1/19 at 11:00 a.m. A status report is due 14 days in advance.

Party Information

Debtor(s):

James L Conkey

Represented By
Laleh Ensafi

Defendant(s):

James L Conkey

Pro Se

Plaintiff(s):

Camil Saab

Represented By
Douglas Jaffe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

CONT... **James L Conkey**
Helou Saab, Inc.

Represented By
Douglas Jaffe

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#13.00

CONT'D Hearing RE: First Interim Application For Allowance Of Fees And Reimbursement Of Expenses For The Period From December 4, 2018 Through March 9, 2019
(Application filed 3/11/19)

**[RE: CHRISTIANSEN LAW OFFICES, PC - General Bankruptcy Counsel For Debtor And Debtor-In-Possession]
[Fees: \$63,945.00; Expenses: \$3,401.96]**

FR: 4-4-19

Docket 110

Tentative Ruling:

Tentative for 5/1/19 is to DENY without prejudice.

On March 11, 2019, Ms. Christiansen filed her Interim Application for Allowance of Fees and Reimbursement of Expenses [Dk. 110]. At the Court's request, set forth in detail in the below tentative for April 4, 2019, Ms. Christiansen filed an Amended Exhibit B on April 18, 2019, [Dk. 159]. However, the Amended Exhibit B fails to address most of the issues identified in the Court's previous tentative. In particular, the Applicant's detailed billing entries continue to contain significant segments of block billing that make it impossible for the Court to evaluate the reasonableness of the fees requested.

Accordingly, the Court is inclined to DENY the Application without prejudice to permit the Applicant to file a new application for fees with billing statements revised to comply with all applicable standards.

Appearances required.

Tentative for 4/4/19:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

CONT... Brooks T Morgan

Chapter 7

This matter is CONTINUED to May 1, 2019 at 11:00 a.m. Applicant is to submit revised billing by no later than April 18, 2019, segregated by task and time for each single billing entry. Issues that must be corrected include, but are not limited to, the following:

1. As a result of the manner in which Applicant recorded time, the Court is unable to determine whether the time spent was reasonable.

The description of the time entries often does not correspond with the time. The billing entries are segregated into columns, with the description block billed in the center, without corresponding time entries adjacent to the description. Below is an example. Presumably, the time in the far right column would correspond to the entries; however, in the below example, which is typical of the billing, there are 8 time entries and 6 descriptions (and Applicant cannot bill for delivery to the United States Trustee, which is an administrative task).

Example:

12/11/18	3:56-4:40	.01	Continue work on Statement of Major Issues & Timetable; 7 day Package;	1.70
	5:30-6:58		Communication with Client; 90 day Budget; Finalize 7 day Package &	1.50
	7:19-7:29		deliver copy to US Trustee; Draft Notice & Motion for Bar Date	.20
	7:40-7:50			.20
	8:07-8:59			.90
	10:21-4:19			5.90
	5:37-6:04			.50
	6:34-11:30			<u>4.90</u>
				16.80

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 1, 2019

Hearing Room 5C

11:00 AM

CONT... **Brooks T Morgan** **Chapter 7**

2. Certain entries are vague. Without further detail, the Court is unable to ascertain the reasonableness of the time.

Example:

12/16/18 6:50-7:00 .01 Client communication .20

3. The application seeks time for the "insider compensation motion." However, the time is block billed on 1/3/19, so Court cannot ascertain how much time was spent on this task.

1/3/19 6:00-6:56 01 .90

Research and draft Notice of Change of Address for Chase Slate & Freedom;
Draft insider compensation motion Adversary and Notice of Change of Address

Appearances are excused for the 4/04/19 hearing.

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

10:00 AM

8:18-13588 Tim M. McKenna

Chapter 7

#1.00

CONT'D Hearing RE: Motion For Relief From The Automatic Stay To Permit Setoff And Application Of Deposit Account Funds
(Motion filed 11/29/18)
(Amended Motion filed 2/7/19)

FR: 12-20-18; 1-24-19; 3-21-19

Docket 29

Tentative Ruling:

Tentative for 5/2/19 is to GRANT the Amended Motion pursuant to 11 U.S.C. §§ 362(d)(1) and 553.

The Court notes that the Chapter 7 Trustee has twice stipulated with the Movant to continue the hearing on this matter to allow him to investigate the Estate's interest and consensually resolve any potential opposition. Since the Amended Motion was filed on February 7, 2019, [Dk. 95], no further stipulation or opposition by the Chapter 7 Trustee has been filed.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Tim M. McKenna

Represented By
Michael G Spector

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

10:00 AM

8:19-10153 Thomas Joseph Lynch, JR

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

NuVision Federal Credit Union vs. DEBTOR
(Motion filed 4/1/19)

[RE: 2007 Jeep Grand Cherokee - VIN No.: 1J8HS58327C509677]

Docket 20

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Thomas Joseph Lynch JR

Represented By
Patrick OKennedy

Trustee(s):

Karen S Naylor (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Thursday, May 2, 2019

Hearing Room 5C

10:00 AM

8:19-10785 Wayne E Owens and Cynthia L Owens

Chapter 7

#3.00

Motion for relief from stay [Real Property]

MUFG Union Bank vs. DEBTOR
(Motion filed 3/29/19)

[RE: 12 Oak Canyon Trail, Coto De Caza, California 92679]

Docket 12

***** VACATED *** REASON: CONTINUED TO AUGUST 8, 2019 AT
10:00 A.M. PER ORDER APPROVING STIPULATION CONTINUING
HEARING ENTERED 4-11-19 - (DOCKET NO. [16])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wayne E Owens

Represented By
Dennis Connelly

Joint Debtor(s):

Cynthia L Owens

Represented By
Dennis Connelly

Movant(s):

MUFG UNION BANK, N.A., FKA

Represented By
Joseph C Delmotte

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

10:00 AM

8:19-11048 Jose Sanchez and Cristina Sanchez

Chapter 7

#4.00

Motion for relief from stay [Personal Property]

American Honda Finance Corporation vs. DEBTORS; And Jeffrey I. Golden,
Chapter 7 Trustee
(Motion filed 4/2/19)

[RE: 2018 Honda Accord - VIN No.: 1HGC V1F4 7JA0 98679]

Docket 11

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jose Sanchez

Represented By
Dianna M Heck

Joint Debtor(s):

Cristina Sanchez

Represented By
Dianna M Heck

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:14-15750 ISC8 Inc.

Chapter 11

#5.00

Hearing RE: Liquidating Trustee's Motion For Entry Of Final Decree Closing Debtor's Chapter 11 Case
(Motion filed 4/4/19)

Docket 530

Tentative Ruling:

Tentative for 5/02/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

ISC8 Inc.

Represented By
Robyn B Sokol
Susan K Seflin
David Seror
Jessica L Bagdanov

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison and Martha Isabel Montoya

Chapter 11

#6.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 12/1416)

FR: 2-2-17; 5-11-17; 12-14-17; 4-19-18; 5-3-18;10-18-18; 10-25-18; 2-21-19

Docket 1

Tentative Ruling:

Tentative for 5/2/19:

Appearances required. The Court will set deadlines for the filing of a plan and disclosure statement.

Tentative for 10/25/18:

The Court is inclined to set the following dates/deadlines:

1. Deadline for filing an amended disclosure statement and plan: December 31, 2018, with a hearing on the adequacy of the amended disclosure statement to take place on February 21, 2019 at 11:00 a.m.

2. A continued status conference: February 21, 2019 at 11:00 a.m.

Appearances required.

Tentative for 5/03/18 is to set a CONTINUED date of October 18, 2018 at 11:00 a.m., with a status report is due 14 days in advance.

Appearances required.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison and Martha Isabel Montoya

Chapter 11

Tentative for 12/14/17:

The Court has received and reviewed the Status Report filed by Debtor on 11/30/17 [Dk. 140] and by Creditor Axis CP I, LLC on 11/30/17 [Dk. 141] and will CONTINUE this matter to April 19, 2018 at 11:00 a.m. A status report is due 14 days in advance.

Appearances for the 12/14/17 hearing are excused.

Tentative for 5/11/17:

The Court will CONTINUE the status conference to coincide with the continued hearing on the Disclosure Statement, presently proposed to be July 13, 2017 at 11:00 a.m.

Tentative for 2/2/17 is to set the following dates/deadlines:

1. March 30, 2017 - deadline to file plan and disclosure statement (as requested by Debtors in their 1/23/17 Status Report [Dk. 32]). The failure to timely file a plan and/or disclosure statement may result in the dismissal or conversion of the case.
2. The Court notes that a bar date of March 20, 2017 has already been established. June 30, 2017 will be the deadline to object to claims.
3. A continued status conference will be held on May 11, 2017 at 11:00 a.m. A status report is due 14 days in advance.

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison and Martha Isabel Montoya

Chapter 11

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison and Martha Isabel Montoya

Chapter 11

#7.00

CONT'D Hearing RE: First Amended Disclosure Statement Describing Chapter 11 Plan Of Reorganization
(Amended D.S. filed 12/31/18)
[Holding Date]

FR: 2-21-19

Docket 267

***** VACATED *** REASON: OFF CALENDAR - NO NEW AMENDED
DISCLOSURE STATEMENT FILED AS OF 4-24-19**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison and Martha Isabel Montoya

Chapter 11

#8.00

Hearing RE: Motion To Approve Compromise Pursuant To Federal Rules Of
Bankruptcy Procedure 9019
(Motion filed 4/5/19)

Docket 280

Tentative Ruling:

Tentative for 5/02/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison

Chapter 11

Adv#: 8:17-01046 Sun Coast Farms LLC v. Harrison et al

#9.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Adversary Complaint To Determine Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(4) And 11 U.S.C. Section 523(a)(2) And Third Party Complaint (Complaint filed 3/24/17) (Third Party Complaint filed 5/9/17) (PTC set at S/C held 10/25/18) **[Third Party Complaint Dismissed on 2/27/19]**

FR: 6-14-17; 12-14-17; 4-19-18; 5-3-18; 10-18-18; 10-25-18; Advanced from 6-6-19

Docket 1

Tentative Ruling:

Tentative for 5/02/19:

This matter is CONTINUED to July 17, 2019 at 11:00 a.m. pursuant to the request contained in the Notice of Settlement filed March 25, 2019 [Dk. 44] as a holding date pending dismissal of the action. If the case has not been dismissed by the continued hearing date, a status report is due 14 days in advance.

Appearances are excused.

Tentative for 10/25/18:

This matter is no longer stayed. The Court is inclined to set the following dates/deadlines.

1. Plaintiff may file a response to Defendants' Counterclaim: November 15,

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison
2018.

Chapter 11

2. Discovery cutoff: March 31, 2019. Note: this date includes the date by which all discovery motions must be heard and resolved.
3. Motion cutoff: April 30, 2019. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
4. Pretrial: June 6, 2019 at 11:00 a.m.

The parties are advised to precisely follow all applicable local and federal rules. The failure to do so may result in the imposition of monetary or non-monetary sanctions to the offending party, including the striking of the answer or dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days. Appearances required.

Tentative for 5/03/18 is to set a CONTINUED date of October 18, 2018 at 11:00 a.m., with a status report is due 14 days in advance.

Appearances required.

Tentative for 12/14/17 is to CONTINUE this matter to April 19, 2018 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison

Chapter 11

Defendant(s):

Charles Flowers Harrison Pro Se

Martha Isabel Montoya Pro Se

Joint Debtor(s):

Martha Isabel Montoya Represented By
Michael Jones
Sara Tidd

Plaintiff(s):

Sun Coast Farms LLC Represented By
Bart M Botta

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:17-11743 Cecilio Romero Murrietta and Irma Bonilla Murrietta

Chapter 11

#10.00

Hearing RE: First Interim Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For The Period From October 6, 2017 Through April 11, 2019
(Application filed 4/11/19)

**[RE: DAVID M. GOODRICH - Chapter 11 Trustee]
[Fees: \$97,613.78; Expenses: \$1,156.47]**

Docket 206

Tentative Ruling:

Tentative for 5/02/19 is to APPROVE.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Cecilio Romero Murrietta

Represented By
Andrew S Bisom

Joint Debtor(s):

Irma Bonilla Murrietta

Represented By
Andrew S Bisom

Trustee(s):

David M Goodrich (TR)

Represented By
Jeffrey I Golden
Beth Gaschen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

CONT...

**Cecilio Romero Murrietta and Irma Bonilla Murrietta
Ryan W Beall**

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:17-11743 Cecilio Romero Murrietta and Irma Bonilla Murrietta

Chapter 11

#11.00

Hearing RE: First Interim Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For The Period From April 10, 2018 Through April 10, 2019
(Application filed 4/11/19)

**[RE: HANKIN PATENT LAW, APC - Attorneys For Chapter 11 Trustee]
[Fees: \$44,057.50; Expenses: \$1,212.47]**

Docket 208

Tentative Ruling:

Tentative for 5/02/19 is to APPROVE on an interim basis.

The Court notes, however, that Applicant's detailed billing entries contain several instances of block billing. While these block billing entries were minor enough that they did not prevent the Court from evaluating the fees in this instance, Applicant is cautioned to avoid any block billing in future applications or risk denial of fees.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Cecilio Romero Murrietta

Represented By
Andrew S Bisom

Joint Debtor(s):

Irma Bonilla Murrietta

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

CONT... Cecilio Romero Murrietta and Irma Bonilla Murrietta

Chapter 11

Trustee(s):

David M Goodrich (TR)

Represented By
Jeffrey I Golden
Beth Gaschen
Ryan W Beall

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:17-11743 Cecilio Romero Murrietta and Irma Bonilla Murrietta

Chapter 11

#12.00

Hearing RE: Second Interim Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For The Period From September 27, 2018 Through April 9, 2019
(Application filed 4/11/19)

[RE: WEILAND GOLDEN GOODRICH LLP - Attorneys For The Chapter 11 Trustee]

[Fees: \$17,735.00; Expenses: \$110.95]

Docket 211

Tentative Ruling:

Tentative for 5/02/19 is to APPROVE on an interim basis.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Cecilio Romero Murrietta

Represented By
Andrew S Bisom

Joint Debtor(s):

Irma Bonilla Murrietta

Represented By
Andrew S Bisom

Trustee(s):

David M Goodrich (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

CONT...

Cecilio Romero Murrietta and Irma Bonilla Murrietta

Jeffrey I Golden

Beth Gaschen

Ryan W Beall

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#13.00

Hearing RE: Confirmation Of First Amended Joint Chapter 11 Plan Of Liquidation Of WJA Real Estate Opportunity Fund II, LLC And CA Real Estate Opportunity Fund II, LLC
(D/S approved on 2/7/19)

FR: 1-24-19

Docket 772

Tentative Ruling:

Tentative for 5/02/19 is to CONFIRM the proposed Joint Chapter 11 Plan Of Liquidation Of WJA Real Estate Opportunity Fund II, LLC And CA Real Estate Opportunity Fund II, LLC.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Sefflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#14.00

Hearing RE: Application For Payment Of Interim Fees And/Or Expenses For
The Period From October 15, 2018 Through March 31, 2019
(Application filed 4/10/19)

**[RE: DIAMOND MCCARTHY, LLP - Attorney For Debtor]
[Fees: \$26,869.50; Expenses: \$862.18]**

Docket 850

Tentative Ruling:

Tentative for 5/02/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

CONT...

WJA Asset Management LLC

Timothy W Evanston

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#15.00

Hearing RE: Fifth Interim Application For Order Approving Fees For The Period From November 29, 2018 Through April 10, 2019
(Application filed 4/11/19)

[RE: MENCHACA & COMPANY - Accountant For Debtors And Debtors-In-Possession]

[Fees: \$16,128.00; Expenses: \$0.00]

Docket 857

Tentative Ruling:

Tentative for 5/02/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

CONT...

WJA Asset Management LLC

Kathy Bazoian Phelps
Timothy W Evanston

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#16.00

Hearing RE: Third Interim Fee Application For Approval Of Fees And Reimbursement Of Expenses For The Period From August 1, 2018 Through March 31, 2019
(Application filed 4/11/19)

**[RE: SULMEYERKUPETZ, A Professional Corporation - Attorneys For Official Committee Of Unsecured Creditors Of TD REO, LLC, TD Opportunity Fund, LLC, Equity Index Managed Fund, LLC, And WJA Secure Real Estate Fund, LLC]
[Fees: \$39,965.00; Expenses: \$234.61]**

Docket 856

Tentative Ruling:

Tentative for 5/02/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#17.00

Hearing RE: Fifth Interim Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For The Period From November 28, 2018 Through April 7, 2019 (Application filed 4/11/19)

**[RE: SMILEY WANG-EKVALL, LLP - Attorneys For Debtor And Debtor-In-Possession]
[Fees: \$268,862.00; Expenses: \$10,529.87]**

Docket 854

Tentative Ruling:

Tentative for 5/02/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Sefflin
Steven T Gubner
Corey R Weber

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:17-12753 David Vincent Ross and Cheri LeAnn Ross

Chapter 11

#18.00

CONT'D Hearing RE: Motion For Order To Reinstate Wilco Life Insurance Company (Formerly Consec Life Insurance Company) Policy Pursuant to Debtors' Confirmed Chapter 11 Plan (Motion filed 12/28/18)

FR: 2-7-19; 3-21-19

Docket 198

***** VACATED *** REASON: CONTINUED TO AUGUST 8, 2019 AT 11:00 A.M. PER ORDER ENTERED 4-30-19 - (DOCKET NO. [218])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Vincent Ross

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Cheri LeAnn Ross

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

Adv#: 8:19-01002 Morgan v. Lopez et al

#19.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Preliminary And Permanent Injunction Barring Creditors From Taking Action
Against State Court Codefendants Pursuant To 11 U.S.C. Section 105; And
(2) To Avoid Transfer Of An Interest In Real Property;
Verification Of Brooks T Morgan
(Complaint filed 1/3/19)

FR: 3-21-19

Docket 1

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 18, 2019
AT 10:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE
STATUS CONFERENCE ENTERED 4-23-19 - (DOCKET NO. [165])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Defendant(s):

Joanna N Lopez

Pro Se

Maria Arellano

Pro Se

Plaintiff(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:18-14425 Wallace Raymond Steffen, Jr

Chapter 11

#20.00

STATUS CONFERENCE Hearing RE: (1) Case Management Conference And
(2) Requiring Status Report
(Petition filed 12/4/18)
(Case Converted on 3/14/19)

Docket 1

Tentative Ruling:

Tentative for 5/02/19 is to set the following dates/deadlines:

1. Deadline for filing a plan and disclosure statement: May 30, 2019.
Note: the failure to timely file a plan and disclosure statement may result in the conversion or dismissal of the case.
2. Deadline for filing Objections to Claim: July 15, 2019
3. Continued status conference: August 15, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Party Information

Debtor(s):

Wallace Raymond Steffen Jr

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, May 2, 2019

Hearing Room 5C

11:00 AM

8:18-14425 Wallace Raymond Steffen, Jr

Chapter 11

#21.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Linda Steffen vs. DEBTOR
(Motion filed 4/10/19)
(Amended Motion filed 4/12/19)

**[RE: Case Name: Linda Steffen vs. Wallace R. Steffen Jr. et al.]
[Case Number: 2015PC0056]
[Pending In: Court of Common Pleas, Probate Division, Lorain County,
Ohio]**

Docket 55

Tentative Ruling:

Tentative for 5/2/19 is to GRANT relief from stay under §362(d)(1) but DENY the request for waiver of the 14-day stay under FRBP 4001(a)(3).

Party Information

Debtor(s):

Wallace Raymond Steffen Jr

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

10:00 AM

6:19-11443 Ramiro Camargo

Chapter 7

#1.00

Edward G. Schloss Law Corporation - movant attorney

Motion for Relief from Stay

Bayview Loan Servicing, LLC vs. DEBTOR
(Motion filed 4/18/19)

RE: 20750 El Nido Avenue, Area of Perris, CA 92571

EH ____

Docket 20

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(4) with 4001(a)(3) waiver and extraordinary relief as requested.

"To obtain relief under §362(d)(4), the court must find three elements to be present. First, debtor's bankruptcy filing must have been part of a scheme. Second, the object of the scheme must be to delay, hinder, or defraud creditors. Third, the scheme must involve either (a) the transfer of some interest in the real property without the secured creditor's consent or court approval, or (b) multiple bankruptcy filings affecting the property. For the court to grant relief under §362(d)(4), and thus trigger two years of prospective relief as to the subject real property, it must affirmatively find that the three elements above are present." *In re First Yorkshire Holdings, Inc.*, 470 B.R. 864, 870-71 (B.A.P. 9th Cir. 2012). Here, Movant has submitted evidence that the filing was a part of a scheme to delay or hinder and multiple filings have occurred.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

10:00 AM

CONT... Ramiro Camargo

Chapter 7

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ramiro Camargo Pro Se

Trustee(s):

Larry D Simons (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

10:00 AM

6:19-11576 Raymond James Trejo and Kristen Ann Trejo

Chapter 7

#2.00

Sheppard, Mullin, Richter & Hampton LLP - movant attorney

Motion for Relief from Stay

San Diego County Credit Union vs. DEBTORS
(Motion filed 4/15/19)

Re: 2014 Dodge Durango

EH_____

Docket 13

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver. The request for extraordinary relief in paragraph ¶12 is denied as Movant has not submitted evidence demonstrating that such relief is warranted.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Raymond James Trejo

Represented By
Norma Duenas

Joint Debtor(s):

Kristen Ann Trejo

Represented By
Norma Duenas

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

10:00 AM

CONT... Raymond James Trejo and Kristen Ann Trejo

Chapter 7

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

10:00 AM

6:19-11652 Doris Reusch

Chapter 7

#3.00

The Law Offices of Jason C. Tatman, A.P.C. - movant attorney

Motion for Relief from Stay

VW Credit, Inc. vs. DEBTOR
(Motion filed 4/14/19)

Re: 2015 Volkswagen Passat

EH_____

Docket 13

***** VACATED *** REASON: Case Dismissed 5/9/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Doris Reusch

Represented By
Christopher Hewitt

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

10:00 AM

6:19-12512 Santos Morales, Jr. and Yaritsa Yosselin Morales

Chapter 7

#4.00

Prnovost, Normandin, Bergh & Dawe - movant attorney

Motion for Relief from Stay

Wescom Credit Union vs. DEBTORS
(Motion filed 4/16/19)

RE: 2015 Cadillac ATS

EH_____

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. §362(d)(1) and §362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Santos Morales Jr.

Represented By
Ethan Kiwhan Chin

Joint Debtor(s):

Yaritsa Yosselin Morales

Represented By
Ethan Kiwhan Chin

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

10:00 AM

CONT... Santos Morales, Jr. and Yaritsa Yosselin Morales

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

10:00 AM

6:19-12672 Judy K Sack

Chapter 7

#5.00

Tiffany & Bosco - movant attorney

Motion for Relief from Stay

Bank of America, N.A. vs. Debtor
(Amd Motion filed (4/22/19))

RE: N 2016 JAYCO 16XRB; VIN NO. 1UJBJHAH9G1JP0175

EH _____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Judy K Sack

Represented By
Paul Y Lee

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

10:00 AM

6:19-10665 Flowmedia Solutions

Chapter 7

#5.10

Gordon Rees Scully Mansukhani LLP - movant attorney

Motion for Relief from Stay

HOSOPO Corporation vs. DEBTOR
(Motion filed 3/28/19)
(Cont. from 4/30/19)

Re: ACTION IN NON-BANKRUPTCY FORUM

EH _____

Docket 10

***** VACATED *** REASON: ORDER ENTERED 5/09/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Flowmedia Solutions

Represented By
Robert B Rosenstein

Movant(s):

dba Horizon Solar Power HOSOPO

Represented By
Shelby A Potet

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

6:11-13707 Kristi Lyn Suarez and George Suarez

Chapter 7

#6.00

Hrg. on Trustee's Final Report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 5/14/19:

The Court requires clarification regarding the amount of the receipts received by the estate.

The Final Report indicates receipts of \$7,962.94, with a payment to Debtor of \$362.05. However, the declaration in support indicates "Debtor was to receive a settlement of approximately \$15,000.00." Debtors' amended Schedules filed 3/29/18 [Dk. 37] reference a settlement for unpaid wages of \$15,708.24 in which Debtors asserted an exemption of \$8,325.00.

Further, the Court notes that special counsel was employed in this case pursuant to an order entered 1/24/14 [Dk. 33]. The application to employ special counsel, filed 1/03/14 [Dk. 29] provides at ¶3: "The Trustee proposes to employ Kaster with a compensation to be paid on a contingency fee equal to thirty-three and one-third percent (33 1/3%) of any recovery plus reimbursement of costs. Because this is a class and collective action, any settlement will likely be subject to court approval and may be less than thirty-three and one-third percent (33 1/3%) of total recovery. Kaster seeks compensation pursuant to 11 U.S.C. Section 328)."

Was a settlement obtained? Was Court approval required? Was it obtained? Did it come into the estate? Was special counsel paid? And if so, under what authority?

Appearances required.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

CONT... Kristi Lyn Suarez and George Suarez

Chapter 7

Party Information

Debtor(s):

Kristi Lyn Suarez

Represented By
Stewart H Lim

Joint Debtor(s):

George Suarez

Represented By
Stewart H Lim

Trustee(s):

Christopher R Barclay (TR)

Pro Se

John P Pringle (TR)

Represented By
Matthew C Helland

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

6:18-11177 Claudia E. Garcia

Chapter 7

#7.00

Hrg. on chapter 7 trustee's motion filed 4/19/19 for Order Approving Sale of the Estate's Right, Title And Interest In Real Property As Is, Where Is, Without Representations Or Warranties Free and Clear of Liens and Interests by Auction and Distribution of Sale Proceeds and Payment of Real Estate Commissions

EH_____

Docket 36

Tentative Ruling:

Tentative for 5/14/19:

Appearances required.

Party Information

Debtor(s):

Claudia E. Garcia

Represented By
Frank X Ruggier

Trustee(s):

Karl T Anderson (TR)

Represented By
Hydee J Riggs

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

6:18-17760 Erika Abrego Castro

Chapter 7

#8.00

Hrg. on chapter 7 trustee's Motion filed 3/2/19 to compel Debtor To Turnover (1) Federal and State Tax Refund Money and (2) Copies of Federal and State Tax Return

EH_____

Docket 17

Tentative Ruling:

Tentative for 5/14/19 is to GRANT as set forth below:

Upon consideration of the Declaration filed 4/28/19 [Dk. 23], it appears that the only outstanding request is for an order compelling Debtor to turn over the 2018 federal tax refund.

There is no dispute that Debtor is required to turnover property under § 542 and § 521(a)(3). "By its express terms, section 542(a) is self-executing, and does not require that the trustee take any action or commence a proceeding or obtain a court order to compel the turnover." *See Gottlieb v. Bossio & Associates A Prof'l Law Corp. (In re Labib)*, 2013 Bankr. Lexis 4661 (Bankr. C.D. Cal. 2013); (citing *Mwangi v. Wells Fargo Bank, N.A. (In re Mwangi)*, 432 B.R. 812, 823 (B.A.P. 9th Cir. 2010)).

The Court notes that turnover of the items sought in the motion was not requested until *after* the Court issued its order requiring clarification and supplemental evidence. The Court further notes that upon receipt of the Trustee's request, Debtor largely complied.

While Trustee is not technically required to request turnover from a debtor prior to filing a motion, the statute is self-effectuating. A court order is not required. The filing of such motions, without first attempting to accomplish turnover without the Court's intervention, does not comport with the concept of judicial economy and is contrary to the spirit of the statute itself - which is why it is self-effectuating.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

CONT... Erika Abrego Castro

Chapter 7

The Court will grant the motion, as modified, in light of Trustee's representation that Debtor consents to the modified relief requested.

The Court requests, however, that Trustee keep the above principles in mind for future filings, but in no way intends to chill Trustee.

Trustee is to lodge an order consistent with this tentative within seven (7) days.

Appearances are excused.

Party Information

Debtor(s):

Erika Abrego Castro

Represented By
Edgar P Lombera

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

6:18-18354 Luis Manuel Jimenez

Chapter 7

#9.00

Hrg. on chapter 7 trustee's Motion filed 3/2/19 to compel Debtor To Turnover (1) Federal and State Tax Refund Money and (2) Copies of Federal and State Tax Return

EH_____

Docket 34

Tentative Ruling:

Tentative for 5/14/19:

This matter is deemed withdrawn pursuant to the request contained in the Supplemental Declaration filed 4/25/19 [Dk. 44].

No appearance is required.

Party Information

Debtor(s):

Luis Manuel Jimenez

Represented By
Brian J Soo-Hoo

Trustee(s):

Charles W Daff (TR)

Represented By
Brandon J Iskander
Lynda T Bui

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

6:18-18793 Oscar Sanchez

Chapter 7

#10.00

Hrg. on chapter 7 trustee's Motion filed 1/30/19 for Order Compelling Turnover of Estate Property and Documents

(Cont. from 4/2/19)

EH_____

Docket 39

***** VACATED *** REASON: Notice of Withdrawal of Motion filed
4/25/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Oscar Sanchez

Pro Se

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

6:18-18849 Armida Salas

Chapter 7

#11.00

Hrg. on chapter 7 trustee's Motion filed 3/2/19 to compel Debtor To Turnover (1) Federal and State Tax Refund Money and (2) Copies of Federal and State Tax Return

EH_____

Docket 13

Tentative Ruling:

Tentative for 5/14/19:

Upon consideration of the Declaration filed 4/25/19 [Dk. 21], it appears that the only outstanding request is for an order compelling Debtor to turn over the 2018 federal tax refund.

There is no dispute that Debtor is required to turnover property under § 542 and § 521(a)(3). "By its express terms, section 542(a) is self-executing, and does not require that the trustee take any action or commence a proceeding or obtain a court order to compel the turnover." *See Gottlieb v. Bossio & Associates A Prof'l Law Corp. (In re Labib)*, 2013 Bankr. Lexis 4661 (Bankr. C.D. Cal. 2013) (citing *Mwangi v. Wells Fargo Bank, N.A. (In re Mwangi)*, 432 B.R. 812, 823 (B.A.P. 9th Cir. 2010)).

The Court notes that turnover of the items sought in the motion was not requested until *after* the Court issued its order requiring clarification and supplemental evidence. The Court further notes that upon receipt of the Trustee's request, Debtor largely complied.

While Trustee is not technically required to request turnover from a debtor prior to filing a motion, the statute is self-effectuating. A court order is not required. The filing of such motions, without first attempting to accomplish turnover without the Court's intervention, does not comport with the concept of judicial economy and is contrary to the spirit of the statute itself - which is why it is self-effectuating.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

CONT... Armida Salas

Chapter 7

The Court will grant the motion, as modified, in this instance.

The Court requests, however, that Trustee keep the above principles in mind for future filings, but in no way intends to chill Trustee.

Trustee is to lodge an order consistent with this tentative within seven (7) days.

Appearances are excused.

Party Information

Debtor(s):

Armida Salas

Represented By

Jennifer Ann Aragon - SUSPENDED -

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

6:18-20348 Erick Govanny Parra

Chapter 7

#12.00

Hrg. on chapter 7 trustee's Motion filed 3/2/19 to compel Debtor To Turnover (1) Federal and State Tax Refund Money and (2) Copies of Federal and State Tax Return

EH_____

Docket 12

Tentative Ruling:

Tentative for 5/14/19:

This matter is DENIED as moot.

Trustee is to lodge an order within seven (7) days.

No appearances are required.

Party Information

Debtor(s):

Erick Govanny Parra

Represented By
Robert L Firth

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

6:19-10149 Gorilla Islands, LLC

Chapter 7

#13.00

Hrg. on U.S. Trustee's Motion For Order Compelling Attorney To File Disclosure Of Compensation Pursuant To 11 U.S.C. § 329 And Federal Rule Of Bankruptcy Procedure 2016

(Cont. from 4/16/19)

EH _____

Docket 19

***** VACATED *** REASON: Notice of Withdrawal of motion filed 5/10/19
- jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gorilla Islands, LLC

Represented By
Bruce A Boice

Movant(s):

United States Trustee (RS)

Represented By
Abram Feuerstein esq

Trustee(s):

Howard B Grobstein (TR)

Represented By
Christopher K.S. Wong
M Douglas Flahaut
Aram Ordubegian

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

6:19-11312 Sonia Esther Pauling

Chapter 7

#14.00

Hrg. on Debtor's Motion to vacate dismissal

EH_____

Docket 19

Tentative Ruling:

Tentative for 5/14/19:

Appearance required.

Party Information

Debtor(s):

Sonia Esther Pauling

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

6:19-12038 JOSE BARREDA

Chapter 7

#15.00

Hrg. on U..S. Trustee's Motion filed 4/12/19 For Order Compelling Attorney To File Disclosure Of Compensation Pursuant To 11 U.S.C. § 329 And Federal Rule Of Bankruptcy Procedure 2016

EH_____

Docket 11

Tentative Ruling:

Tentative for 5/14/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

JOSE BARREDA

Represented By
Khushwant Sean Singh

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

11:00 AM

6:19-12258 Katherine Vu

Chapter 7

#16.00

Hrg. on U.S. Trustee's Motion For Order Compelling Attorney To File Disclosure Of Compensation Pursuant To 11 U.S.C. § 329 And Federal Rule Of Bankruptcy Procedure 2016

EH ____

Docket 10

***** VACATED *** REASON: Withdrawal of Motion filed 5/10/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Katherine Vu

Represented By
Randy Chang

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

1:30 PM

6:17-19048 Caroline C Mendoza

Chapter 11

#17.00

Hrg. on Second Interim Application filed 4/19/19 for Approval of Fees and Reimbursement of Expenses by the Turoci Firm , Period: 5/26/2018 to 4/19/2019, Fee: \$30,230.00, Expenses: \$761.79.

EH_____

Docket 137

Tentative Ruling:

Tentative for 5/14/19 is to APPROVE on an interim basis.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

1:30 PM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#18.00

Hrg. on Debtor's Motion for order (1) Approving sale of real property; (2) Approving payment of real estate commission and other related costs

EH_____

Docket 137

***** VACATED *** REASON: Notice of Dismissal of Motion filed 5/7/19 -
jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

1:30 PM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#19.00

Hrg. on Use of Cash Collateral

EH_____

(Cont. from 2/5/19)

Docket 29

Tentative Ruling:

Tentative for 5/14/19:

The Court notes that a stipulation regarding continued use of cash collateral was filed on May 7, 2019 [Dk. 147] ("Stipulation"). The Stipulation referenced a budget attached as Exhibit "1," but no such exhibit was attached to either the Stipulation or the uploaded order. Debtor subsequently lodged an order including a budget as Exhibit 1 [See Notice of Lodgment filed May 10, 2019, Dk. 151] ("NOL"); however, no amended stipulation was filed to demonstrate that this is the exhibit approved by the creditors who originally signed the Stipulation.

If no party appears at the hearing and objects to the Stipulation and NOL, the Court is inclined to APPROVE the Stipulation, with the attached budget, and CONTINUE the hearing to July 16, 2019 at 1:30 p.m. to coincide with the plan confirmation hearing.

This matter appears to be uncontested. Accordingly, no court appearance by Debtor or Creditors is required. Should any party appear and oppose the Stipulation and attached budget, the Court will determine whether further hearing is required and the Parties will be so notified.

Tentative for 2/5/19:

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

1:30 PM

CONT... **Big Bear Bowling Barn, Inc.**

Chapter 11

The previous order approving the use of cash collateral entered 8/30/18 [Dk. 88] authorized use through 1/31/19. As of the posting of this tentative, no further stipulation or motion regarding cash collateral has been filed.

Appearances required.

Tentative for 8/21/18 is to approve the Stipulation filed 8/17/18 [Dk. 74] and set a continued date of January 22, 2019 at 11:00 a.m.

Appearances required.

Tentative for 6/18/18:

The Order entered 6/4/18 [Dk. 48] grants the use of cash collateral through 6/18/18 in an amount of up to \$85,000. As of the posting of this tentative, nothing further has been filed.

Appearances required.

Tentative for 5/23/18:

Appearances required. Debtor's Principal and counsel for both Debtor and the Secured Creditor, Strategic Funding Source, Inc., are instructed to appear in person in Santa Ana unless excused from this requirement by chambers.

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#20.00

Hrg. on Debtor's Motion filed 8/8/18 to Use Cash Collateral

(Cont. from 4/2/19)

EH_____

Docket 5

***** VACATED *** REASON: Cont. to 6/11/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Illyssa I Fogel

Movant(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#21.00

Hrg. on Application filed 3/26/19 for Compensation and Reimbursement of Expenses of Illyssa I. Fogel & Associates, Former General Bankruptcy Counsel to the Debtor. for Illyssa I Fogel - Period: 8/6/2018 to 11/19/2018, Fee: \$104,190.00, Expenses: \$356.00

(Cont. from 4/30/19)

EH_____

Docket 194

Tentative Ruling:

Tentative for 5/14/19:

The Court has reviewed the Stipulation filed between Applicant, Debtor and Debtor's current counsel filed 5/7/19 [Dk. 246] and is appreciative of the parties' efforts to consensually resolve their disputes. The Court has fully reviewed all applicable pleadings, including the revised partial billing submitted by Applicant on 5/7/19 [Dk. 249].

The Court has an independent duty to examine the reasonableness of the fees and expenses requested by retained professionals. *In re Auto Parts, Inc.*, 211 B.R. 29, 33 (9th Cir. B.A.P. 1997). Pursuant to 11 U.S.C. § 330, the court may award reasonable compensation to a professional person employed under 11 U.S.C. § 327, for actual and necessary services rendered. See 11 U.S.C. § 330(a)(1)(A). In determining the reasonableness of compensation the court can consider a variety of factors including, whether the services were necessary to the administration of or the completion of a case, whether they were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the issue, and whether the compensation is reasonable based on the customary compensation charged. See 11 U.S.C. §§ 330(a)(3)(C), (D) and (F).

The Court cannot fully evaluate the reasonableness of Applicant's fees,

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

1:30 PM

CONT... Lovejoy's Family Moving., Inc., dba Republic Chapter 11

including the reduction offered by Applicant in her Reply to the United States Trustee's Objection of \$1,554.00 relating to clerical tasks and the \$10,111.50 agreed upon with Debtor without submission of fully revised, and segregated by task, billing entries.

The Court notes that this case was an emergency filing (on 8/6/18), with the remainder of the case initiation documents filed 9/3/18 (apparently without an order approving the extension of time). The Court also notes that Applicant apparently drew down \$23,762 pre-petition and then proceeded to incur an additional approximate \$16,000 for first day motions, \$23,000 for the completion of the SOFA and Schedules, and over \$1,200 for the preparation of a declaration of non-opposition and order approving Applicant's employment, both of which were extremely short and formulaic. The Court would like clarification as to what the \$23,762 drawn down was incurred for and whether Applicant, herself, as opposed to a paralegal, was the party actually engaged in the gathering and data input regarding the preparation of the case initiation documents. If so, those tasks must be independently billed. The Court would also like clarification as to the billing pertaining to the employment application.

The Court is inclined to CONTINUE this matter to June 11, 2019 at 1:30 p.m. for the purposes of allowing Applicant to submit revised billing. The revised billing must be submitted by no later than May 28, 2019.

Appearances required in Santa Ana. Debtor's principal should also appear in person in Santa Ana.

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes

Peter W Lianides

Alastair M Gesmundo

Robert E Opera

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#22.00

Hrg. on Application filed 3/26/19 for Compensation First Interim Application Of Winthrop Couchot Golubow Hollander, LLP, General Insolvency Counsel For The Debtor, Period: 11/19/2018 to 2/28/2019, Fee: \$235,755.50, Expenses: \$5671.58

(Cont. from 4/30;/19)

EH_____

Docket 191

Tentative Ruling:

Tentative for 5/14/19:

The Court has received and reviewed the Stipulation between the UST and the Applicant filed on 5/8/19 [Dk. 254] and the Supplement filed by Applicant on 5/8/19 [Dk. 253] and is appreciative of the parties' efforts to consensually resolve their disputes.

The Court has an independent duty to examine the reasonableness of the fees and expenses requested by retained professionals. *In re Auto Parts, Inc.*, 211 B.R. 29, 33 (9th Cir. B.A.P. 1997). Pursuant to 11 U.S.C. § 330, the court may award reasonable compensation to a professional person employed under 11 U.S.C. § 327, for actual and necessary services rendered. See 11 U.S.C. § 330(a)(1)(A). In determining the reasonableness of compensation the court can consider a variety of factors including, whether the services were necessary to the administration of or the completion of a case, whether they were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the issue, and whether the compensation is reasonable based on the customary compensation charged. See 11 U.S.C. §§ 330(a)(3)(C), (D) and (F).

Notwithstanding the agreements entered between the Applicant and the opposing parties, the Court has concerns, including the reasonableness of

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1:30 PM

CONT... Lovejoy's Family Moving., Inc., dba Republic Chapter 11
the fees requested and vagueness in billing entries, which it will address at the hearing.

Appearances required in Santa Ana. Debtor's principal should also appear in person in Santa Ana.

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Bradford G Hughes
Peter W Lianides
Alastair M Gesmundo
Robert E Opera

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
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Tuesday, May 14, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#22.10

Hrg. on Debtor's Motion filed 5/8/19 for Authority to Obtain Credit Under Section 364(b), Rule 4001(c) or (d) Debtors Motion For Order Authorizing Bridge Loan Pursuant To 11 U.S.C. § 364(c)(2) In Furtherance Of Confirmation Of Debtors Plan

EH_____

Docket 250

Tentative Ruling:

Tentative for 5/14/19:

Appearances are required in Santa Ana. Debtor's principal should also appear in person in Santa Ana.

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Bradford G Hughes
Peter W Lianides
Alastair M Gesmundo
Robert E Opera

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
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Tuesday, May 14, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#23.00

Post-Evidentiary Hrg. on Debtor's Motion filed 11/14/18 to Value Two Adjacent
Parcels of Commercial Real Property Located at 333 and 305 S. Waterman
Avenue, San Bernardino, California, 92408, extinguish second and third liens; or
in the alternative modify second liens

EH_____

Docket 47

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
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Tuesday, May 14, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#24.00

Hrg. on Superior Court Receiver motion filed 3/27/19 for Approval of Accounting and Payment of Pre-petition fees and expenses of receiver

EH_____

Docket 158

Tentative Ruling:

Tentative for 5/14/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West, Inc. d/b/a Altavita Villag

Chapter 11

#25.00

Hrg. on Chapter 11 Status Conference

(Cont. from 4/30/19)

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Air Force Village West, Inc. d/b/a

Represented By
Samuel R Maizel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
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Tuesday, May 14, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#26.00

Hrg. on Debtor's Motion filed 3/19/19 for the Entry of (I) an Order (1) Approving Bidding Procedures, Auction Sale Format, and Stalking Horse Bid Protections; (2) Approving Notice Procedures to Interested Parties; (3) Scheduling Court Hearings to Consider Approval of the Bidding Procedures and the Sale to the Highest Bidder; and (4) Approving Procedures Related to the Assumption of Certain Executory Contracts and Unexpired Leases; and (II) an Order Authorizing the Sale of Property Free and Clear of All Claims, Liens and Encumbrances

(Cont from 4/18/19)

EH_____

Docket 109

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
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Tuesday, May 14, 2019

Hearing Room 126

2:00 PM

6:19-13708 SIF Services, LLC

Chapter 11

#27.00

Hrg. on Debtor's Motion filed 5/7/19 for Order for Authority to Enter into Critical Vendor Agreements with: (1) SLS Freight, LLC; (2) Double Chain, Inc.; and (3) Ke Xin, Inc., dba Wakool Transport

(OST signed 5/8/19)

EH_____

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, May 14, 2019

Hearing Room 126

2:00 PM

6:19-13708 SIF Services, LLC

Chapter 11

#28.00

Hrg. on Debtor's Motion filed 5/7/19 to Authorize Debtor to Pay Prepetition
Priority Employee Wages and Related Wage Claims

(OST signed 5/8/19)

EH_____

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
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Tuesday, May 14, 2019

Hearing Room 126

2:00 PM

6:19-13708 SIF Services, LLC

Chapter 11

#29.00

Hrg. on Debtor's Motion filed 5/7/19 for Order Determining Adequate Assurance of Payment for Post-Petition Utility Services

EH_____

(OST signed on 5/8/19)

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

6:14-19919 Pradeep Singh

Chapter 7

Adv#: 6:14-01300 Bruner et al v. Singh

#13.00

Status Conference re: Complaint by John Bruner, Irene Bruner against Pradeep Singh pursuant to §523(a)(2) and §523(a)(4)

(Cont. from 1/9/18)

EH_____

[Tele. appr., Robert P. Goe, repr., Pradeep Singh]

Docket 1

Tentative Ruling:

Tentative for 5/15/19:

While the Bankruptcy Appellate Panel affirmed the judgment denying Debtor's discharge in favor of the United States Trustee on April 22, 2019, that ruling is not yet final. Accordingly, this matter is CONTINUED to September 4, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Pradeep Singh

Represented By
M Wayne Tucker

Defendant(s):

Pradeep Singh

Pro Se

Joint Debtor(s):

Rindi P Singh

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
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Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

CONT... Pradeep Singh

Chapter 7

M Wayne Tucker

Plaintiff(s):

John Bruner Pro Se

Irene Bruner Pro Se

Trustee(s):

Arturo Cisneros (TR) Pro Se

Arturo Cisneros (TR) Pro Se

U.S. Trustee(s):

United States Trustee (RS) Pro Se

**United States Bankruptcy Court
Central District of California
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Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

6:14-19919 Pradeep Singh

Chapter 7

Adv#: 6:14-01302 Cooper et al v. Singh

#14.00

STATUS CONFERENCE Re: Complaint by William Cooper, Cheryl Cooper against Pradeep Singh. false pretenses, false representation, actual fraud)),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny))

(Cont. from 1/9/19)

EH_____

Docket 1

***** VACATED *** REASON: Cont. to 9/4/19 @ 1:30 p.m. by order signed on 5/2/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

3rd Party Defendant(s):

Pradeep Singh Pro Se

3rd Party Plaintiff(s):

Cheryl Cooper Pro Se

William Cooper Pro Se

Debtor(s):

Pradeep Singh Represented By
M Wayne Tucker

Defendant(s):

Pradeep Singh Pro Se

Joint Debtor(s):

Rindi P Singh Represented By
M Wayne Tucker

**United States Bankruptcy Court
Central District of California
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Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

CONT... Pradeep Singh

Chapter 7

Plaintiff(s):

William Cooper

Represented By
Gregory W Brittain

Cheryl Cooper

Represented By
Gregory W Brittain

Trustee(s):

Arturo Cisneros (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (RS)

Pro Se

**United States Bankruptcy Court
Central District of California
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Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

6:14-19919 Pradeep Singh

Chapter 7

Adv#: 6:14-01304 Taylor v. Singh et al

#15.00

STATUS CONFERENCE RE: Complaint by Carole Taylor against Rindi P Singh, Pradeep Singh. false pretenses, false representation, actual fraud)),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)),(41 (Objection / revocation of discharge - 727(c),(d),(e)))

(Cont. from 1/9/18)

EH_____

Docket 1

***** VACATED *** REASON: Order entered 5/1/19 dismissing case - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Pradeep Singh

Represented By
M Wayne Tucker

Defendant(s):

Rindi P Singh

Represented By
Solomon A Cheifer
M Wayne Tucker

Pradeep Singh

Represented By
M Wayne Tucker

Joint Debtor(s):

Rindi P Singh

Represented By
M Wayne Tucker
Solomon A Cheifer

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
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Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

CONT... Pradeep Singh

Chapter 7

Plaintiff(s):

Carole Taylor

Represented By
Elliott R Speiser

Trustee(s):

Arturo Cisneros (TR)

Pro Se

Arturo Cisneros (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (RS)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

6:15-14566 Halo Sports Bar and Grill, Inc.

Chapter 7

Adv#: 6:19-01044 Simons (TR) v. County Of San Bernardino et al

#16.00

STATUS CONFERENCE re: Complaint by Larry D Simons (TR) against County Of San Bernardino, City of Hesperia - Declaratory judgment, validity, priority or extent of lien or other interest in property

EH_____

Docket 1

Tentative Ruling:

Tentative for 5/15/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: August 30, 2019. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: October 16, 2019. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: November 6, 2019 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Halo Sports Bar and Grill, Inc.

Represented By
Stephen R Wade

**United States Bankruptcy Court
Central District of California
Riverside
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Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

CONT... Halo Sports Bar and Grill, Inc.

Chapter 7

W. Derek May

Defendant(s):

County Of San Bernardino Pro Se

City of Hesperia Pro Se

Plaintiff(s):

Larry D Simons (TR) Pro Se

Trustee(s):

Larry D Simons (TR)

Represented By
Alan I Nahmias
Scott H Noskin
Stephen F Biegenzahn

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
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Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

6:16-21137 Carroll Ann Vandre

Chapter 7

Adv#: 6:18-01230 Whitmore v. Scott et al

#17.00

Hrg. on Plaintiff's Motion filed 4/15/19 for Default Judgment as to Darbie Vandre Scott

EH_____

Docket 23

Tentative Ruling:

Tentative for 5/15/19 is to CONTINUE to June 12, 2019 at 1:30 p.m. to allow Trustee to file additional evidence regarding service of the Complaint and the Motion for Default Judgment.

Defendant was served with both at 407 Railroad Avenue, Souris, ND 58783-8510 ("North Dakota Address"). The Declaration of Christopher M. Kiernan includes the results from the Westlaw search that resulted in the North Dakota Address. However, this is insufficient evidence to establish that the North Dakota Address was the correct and current address at which to serve the Defendant on February 13, 2019, when Another Summons was served [Dk. 12], or that it remains the correct address at which to serve the Defendant with the Motion for Default Judgment.

Supplemental evidence regarding the sufficiency of service must be filed by May 29, 2019.

Appearances are excused.

Party Information

Debtor(s):

Caroll Ann Vandre

Represented By
Gene P Killian

**United States Bankruptcy Court
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Hearing Room 126

1:30 PM

CONT... **Caroll Ann Vandre**

Chapter 7

Defendant(s):

Darbie Vandre Scott	Pro Se
Caroll Ann Vandre	Pro Se
Gene P Killian	Pro Se

Plaintiff(s):

Robert S. Whitmore	Represented By Douglas A Plazak
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Trustee(s):

Robert Whitmore (TR)	Represented By Douglas A Plazak
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**United States Bankruptcy Court
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Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

6:18-16626 Judy Zhuang

Chapter 7

Adv#: 6:18-01217 Liao v. Zhuang

#18.00

Hrg. on Plaintiff's Partial Motion filed 4/2/19 For Summary Judgment

EH_____

Docket 26

Tentative Ruling:

Tentative for 5/15/19:

Appearances required in person in Santa Ana.

Party Information

Debtor(s):

Judy Zhuang

Represented By
Todd L Turoci

Defendant(s):

Judy Zhuang

Pro Se

Plaintiff(s):

Chih Ling Liao

Represented By
Sam X J Wu

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania

Chapter 7

Adv#: 6:18-01201 Turoci v. Mulvania

#19.00

Hrg. on Defendant's Motion filed 4/25/19 For Sanctions under Bankruptcy Rule 9011(c) against Todd L. Turoci and Counsel

EH_____

Docket 16

Tentative Ruling:

Tentative for 5/14/19:

The Court has determined that this matter is appropriate for disposition without a hearing and will not hear oral argument. An order will be issued shortly.

No appearances will be permitted.

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Christopher John Mulvania

Represented By
Donald Reid
Charity J Manee

Plaintiff(s):

Todd Turoci

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
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Hearing Room 126

1:30 PM

CONT... Christopher John Mulvania

Chapter 7

Trustee(s):

Larry D Simons (TR)

Represented By
Lynda T Bui
Brandon J Iskander

**United States Bankruptcy Court
Central District of California
Riverside
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Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania
Adv#: 6:18-01201 Turoci v. Mulvania

Chapter 7

#19.10

Hrg. on Plaintiff's Motion filed 4/26/19 for (1) Leave to Amend Complaint and (2) Modification of Scheduling Order

Docket 23

Tentative Ruling:

Tentative for 5/14/19:

The Court has determined that this matter is appropriate for disposition without a hearing and will not hear oral argument. An order will be issued shortly.

No appearances will be permitted.

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Christopher John Mulvania

Represented By
Donald Reid
Charity J Manee

Plaintiff(s):

Todd Turoci

Represented By
Todd L Turoci

Trustee(s):

Larry D Simons (TR)

Represented By
Lynda T Bui

**United States Bankruptcy Court
Central District of California
Riverside
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Hearing Room 126

1:30 PM

CONT...

Christopher John Mulvania

Brandon J Iskander

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

6:18-18354 Luis Manuel Jimenez

Chapter 7

Adv#: 6:19-01045 Daff, Chapter 7 Trustee v. Jimenez

#19.20

STATUS CONFERENCE re: Complaint by Charles W. Daff, Chapter 7 Trustee
against Rocio Jimenez - 542 turnover of property

EH ____

Docket 1

***** VACATED *** REASON: Cont. to 6/26/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luis Manuel Jimenez

Represented By
Brian J Soo-Hoo

Defendant(s):

Rocio Jimenez

Pro Se

Plaintiff(s):

Charles W. Daff, Chapter 7 Trustee

Represented By
Brandon J Iskander

Trustee(s):

Charles W Daff (TR)

Represented By
Brandon J Iskander
Lynda T Bui

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
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Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

6:18-19561 Esteban Brito Gallegos

Chapter 7

Adv#: 6:19-01043 Whitmore v. Brito et al

#20.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against Anhely Brito, Edwin Brito Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer))

EH_____

Docket 1

***** VACATED *** REASON: Cont. to 7/17/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Esteban Brito Gallegos

Represented By
Priscilla C Solario

Defendant(s):

Anhely Brito

Pro Se

Edwin Brito

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Julie Philippi

Trustee(s):

Robert Whitmore (TR)

Represented By
Julie Philippi

**United States Bankruptcy Court
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Riverside
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Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

6:19-10179 Hector M Araiza, Jr.

Chapter 7

Adv#: 6:19-01041 Barnes et al v. Araiza, Jr.

#21.00

STATUS CONFERENCE re: Complaint by Jeffrey Barnes, and Shirley Barnes against, Hector M Araiza Jr. - 523(a)(2), 523(a)(4), 523(a)(6)

EH_____

[Tele. appr., Christopher D. Hughes, repr., Jeffrey and Shirley Barnes]

Docket 1

Tentative Ruling:

Tentative for 5/15/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: July 31, 2019. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: September 15, 2019. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: November 20, 2019, 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Hector M Araiza Jr.

Represented By

**United States Bankruptcy Court
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1:30 PM

CONT... Hector M Araiza, Jr.

Chapter 7

W. Derek May

Defendant(s):

Hector M Araiza Jr.

Pro Se

Plaintiff(s):

Jeffrey Barnes

Represented By
Christopher D Hughes

Jeffrey Barnes

Represented By
Christopher D Hughes

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
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Wednesday, May 15, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania

Chapter 7

Adv#: 6:18-01199 Gould v. Mulvania

#22.00

Hrg. on Defendant's Motion filed 4/15/19 to Reopen Discovery and continue Pretrial deadlines

EH_____

Docket 16

***** VACATED *** REASON: Case Dismissed on 5/2/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Christopher John Mulvania

Represented By
Donald Reid
Charity J Manee

Plaintiff(s):

Scott C. Gould

Represented By
Jeffrey J Hagen

Trustee(s):

Larry D Simons (TR)

Represented By
Lynda T Bui
Brandon J Iskander

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, May 15, 2019

Hearing Room 126

2:00 PM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#23.00

Final Hrg. Authorizing the Debtor's Use Of Cash Collateral

EH _____

[Tele. appr., Robert M. Aronson, repr., Innova Sleep Systems]

[Tele. appr., Chad V. Haes, repr., Tempur-Pedic North America, LLC & Sealey Mattress, LLC]

Docket 11

Tentative Ruling:

Tentative for 5/15/19:

None listed.

Tentative for 4/24/19:

Appearances are required. Appearances by all counsel are preferred, but not required, in Santa Ana.

In addition, the primary inside and/or outside accountant/bookkeeper should appear in person in Santa Ana, and be prepared to testify under oath regarding Debtor's finances.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub

**United States Bankruptcy Court
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Riverside
Judge Scott Clarkson, Presiding
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Wednesday, May 15, 2019

Hearing Room 126

2:00 PM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#24.00

Final Hrg. on Emergency Motion Of Debtor And Debtor In Possession For An Order Limiting Scope Of Notice

EH _____

[Tele. appr., Robert M. Aronson, repr., Innova Sleep Systems]

[Tele. appr., Chad V. Haes, repr., Tempur-Pedic North America, LLC & Sealey Mattress, LLC]

Docket 10

Tentative Ruling:

Tentative for 5/15/19:

None listed.

Tentative for 4/24/19:

Appearances are required. Appearances by all counsel are preferred, but not required, in Santa Ana.

In addition, the primary inside and/or outside accountant/bookkeeper for the Debtor should appear in person in Santa Ana, and be prepared to testify under oath regarding Debtor's finances.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub

**United States Bankruptcy Court
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2:00 PM

CONT... Banner Mattress, Inc.

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
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Wednesday, May 15, 2019

Hearing Room 5C

10:00 AM

8:17-12887 Dana Kim Shelton

Chapter 7

Adv#: 8:18-01006 Richard A. Marshack, Chapter 7 Trustee, v. Larson et al

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Status Of Appeal RE: Complaint:
(1) To Determine The Validity, Priority, And Extent Of Liens;
(2) Objecting To Daniel Keith Larson And Erin Ellen Larson [Claim No. 3] Filed On
December 21, 2017;
(3) To Surcharge Lienholders For The Expenses Necessary To Preserve Collateral
Securing Their Claims; And
(4) Damages For Violations Of Section 807 Of The FDCPA, 15 U.S.C. Section
1692e

**[STATUS CONFERENCE AS TO PETER KOTE, BANK OF AMERICA; DANIEL
KEITH LARSON, AND ERIN ELLEN LARSON]**

(Complaint filed 1/9/18) (PTC set at S/C held 3/8/18)

(S/C set per Order Entered 10-9-18)

[Holding Date]

FR: Advanced from 4-18-18; 9-19-18; 12-5-18; 2-20-19; 2-27-19; 3-20-19

[Tele. appr., Misty A. Isaacson, repr., Richard A. Marshack, Trustee]

Docket 1

Tentative Ruling:

Tentative for 5/15/19:

This matter is CONTINUED to August 14, 2019, at 10:00 a.m., as a holding date to allow resolution of any issues related to the appeal of the Order Approving Settlement between Trustee and Peter Kote.

If all appeals have not been completed and the case has not been dismissed, a status report is due 14 days in advance.

Appearances are excused.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

10:00 AM

CONT... Dana Kim Shelton

Chapter 7

Debtor(s):

Dana Kim Shelton

Represented By
Christopher P Walker

Defendant(s):

Daniel Keith Larson

Pro Se

Erin Ellen Larson

Pro Se

Peter Kote

Pro Se

BANK OF AMERICA, N.A

Pro Se

Plaintiff(s):

Richard A. Marshack, Chapter 7

Represented By
Misty A Perry Isaacson

Trustee(s):

Richard A Marshack (TR)

Represented By
Misty A Perry Isaacson

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01064 Marshack v. Castanon et al

#2.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint:

1. To Recover Unlawful Dividends;
2. To Avoid And Recover Fraudulent Transfers Under 11 U.S.C. Sections 544(b) And 550 And California Civil Code Section 3439.04(a)(1);
3. To Avoid And Recover Pre-Petition Transfers Under 11 U.S.C. Sections 544(b) And 550 And California Civil Code Section 3439.04(a)(2);
4. To Avoid Pre-Petition Transfers Pursuant To 11 U.S.C. Sections 544(b) And California Civil Code Section 3439.05;
5. To Avoid Pre-Petition Transfers Pursuant To 11 U.S.C. Section 548(a)(1)(B)
6. To Avoid Pre-Petition Transfer Pursuant To 11 U.S.C. Section 549(a)
(First Amended Complaint filed 1/3/19)
(Another Summons issued 2/15/19)

FR: 4-3-19

Docket 0

Tentative Ruling:

Tentative for 5/15/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: September 30, 2019. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: November 15, 2019. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: December 18, 2019 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

10:00 AM

CONT... **Luminance Recovery Center, LLC** **Chapter 7**

rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Luminance Recovery Center, LLC	Represented By Jeffrey I Golden Beth Gaschen
--------------------------------	--

Defendant(s):

Michael Edward Castanon	Represented By Rhonda Walker
BeachPointe Investments, Inc.	Pro Se
George Bawuah	Pro Se
Jerry Bolnick	Pro Se
Jonathan Blau	Pro Se
Joseph Bolnick	Pro Se
Maria Castanon	Pro Se
Kenneth Miller	Pro Se
Peter Van Petten	Pro Se
Raymond Midley	Pro Se
Veronica Marfori	Pro Se

Plaintiff(s):

Richard A. Marshack	Represented By Sharon Oh-Kubisch
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

10:00 AM

8:18-13145 James L Conkey

Chapter 7

Adv#: 8:18-01212 Saab et al v. Conkey

#3.00

Hearing RE: Motion To Dismiss Second Amended Complaint To Determine Dischargeability Of Debt
(Motion filed 4/2/19)

Docket 23

Tentative Ruling:

Tentative for 5/14/19:

The Court has determined that this matter is appropriate for disposition without a hearing and will not hear oral argument. An order will be issued shortly.

No appearances will be permitted.

Party Information

Debtor(s):

James L Conkey

Represented By
Laleh Ensafi

Defendant(s):

James L Conkey

Represented By
Charity J Manee

Plaintiff(s):

Camil Saab

Represented By
Douglas Jaffe

Helou Saab, Inc.

Represented By
Douglas Jaffe

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

10:00 AM

8:18-13145 James L Conkey

Chapter 7

Adv#: 8:18-01212 Saab et al v. Conkey

#3.10

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Debt
(Complaint filed 12/3/18)

FR: 2-27-19; 5-1-19

Docket 1

Tentative Ruling:

Tentative for 5/14/19:

The Court has determined that this matter is appropriate for disposition without a hearing and will not hear oral argument. An order will be issued shortly.

No appearances will be permitted.

Tentative for 5/01/19:

This matter is CONTINUED to 5/15/19 at 10:00 a.m. to coincide with the hearing on the motion to dismiss. A status report is not required for the continued hearing.

Appearances are excused.

Tentative for 2/27/19 is to CONTINUE to 5/1/19 at 11:00 a.m. A status report is due 14 days in advance.

Party Information

Debtor(s):

James L Conkey

Represented By
Laleh Ensafi

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

10:00 AM

CONT... James L Conkey

Chapter 7

Defendant(s):

James L Conkey

Pro Se

Plaintiff(s):

Camil Saab

Represented By
Douglas Jaffe

Helou Saab, Inc.

Represented By
Douglas Jaffe

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

10:00 AM

8:18-13626 Krista Dee Christy Steffen

Chapter 7

Adv#: 8:19-01014 Steffen v. Steffen

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Denial Of Discharge Pursuant To 11 U.S.C. Section 727(a)(4)
(Complaint filed 1/14/19)
(First Amended Complaint filed 2/22/19)
(Another Summons issued 2/2/19)

FR: 4-3-19

[Tele. appr., Angela Mestre, repr., Krista D. Steffan]

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
ADVERSARY ENTERED 5-14-19 - (DOCKET NO. [17])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Krista Dee Christy Steffen

Represented By
Angela Mestre

Defendant(s):

Krista Dee Christy Steffen

Pro Se

Plaintiff(s):

Wallace Steffen

Represented By
Anerio V Altman

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#5.00

CONT'D Hearing RE: Fourth Omnibus Motion For Order Disallowing Wage Claims
(Motion filed 2/28/19)

Claim No. 4-2 Josephine Alvarez \$100,000.00

FR: 4-4-19

Docket 529

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF CLAIM NO. 4 OF JOSEPHINE ALVAREZ -
(DOCKET NO. [599])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#6.00

CONT'D Hearing RE: Second Omnibus Motion For Order Disallowing The Scheduled Claims That Have Been Satisfied (Motion filed 2/27/19)

Claim No.	American Express	\$59,853.23
Claim No.	City of Los Angeles LAHD	\$135.66
Claim No.	City of Montebello	\$5.00
Claim No.	Department of Motor Vehicles	\$1,501.00
Claim No.	Department of Social Services	\$681.00
Claim No.	Home Depot Credit Services	\$20,615.35
Claim No.	Los Angeles County Sheriff Department	\$150.00
Claim No.	Los Angeles Dept. of Water and Power	\$3,904.50
	[OFF CALENDAR - ORDER ON STIPULATION TO RESOLVE CLAIM OBJECTION OF LOS ANGELES DEPT. OF WATER AND POWER ONLY ENTERED 5-13-19 - [694]	
Claim No.	Law Offices of Emilio J. Huerta	\$9,832.50
Claim No.	Orion Healthcare Technology	\$4,320.00
Claim No.	Sacramento County Tax	\$871.65
Claim No.	Sacramento County Utilities	\$180.57
Claim No.	Straight Up Reality Improvements	\$1,500.00
Claim No.	The Gas Company	\$4,244.45

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol Chapter 11

Claim No. Time Warner Cable \$607.14

Claim No. US Bank \$2,382.29

FR: 4-4-19

Docket 503

Tentative Ruling:

Tentative for 5/15/19: is to GRANT:

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Tentative for 4/4/19 is to CONTINUE the Second Omnibus Motion for Order Disallowing Claims [Dk. 503] to May 15, 2019, at 11:00 a.m., to allow Movant to effect proper service on all claimants.

LBR 3007-1(b)(2) requires service "on the claimant at the address disclosed by the claimant in its proof of claim *and* such other addresses and upon such parties as may be required by FRBP 7004 and other applicable rules." (emphasis added). FRBP 7004(b)(3) requires that a corporation, partnership or other unincorporated association be served "to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment of law to receive service of process." FRBP 7004(b)(6) requires that a "state or municipal corporation or other governmental organization thereof" must be served "to the person or office upon whom process is prescribed to be served by the law of the state in which service is made." FRBP 7004(h) requires service on insured depository institutions be made by certified mail addressed to an officer of the

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol Chapter 11

institution except under exceptions that to not appear to apply here. Where the address listed on the proof of claim differs from or does not comply with FRBP 7004, as stated on the Court's website, this Court requires the claim objection to be served on both addresses.

It appears that none of the Claimants were served with either the Notices or Objection in accordance with FRBP 7004. In addition, the Court was unable to locate filed notices for all claimants. Movant must properly serve all claimants with the Objection and notice of the Objection and continued hearing date in accordance with LBR 3007-1(b), and file the appropriate notice and/or proof of service.

Appearances are excused for 4/4/19.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#7.00

CONT'D Hearing RE: Third Omnibus Motion For Order Disallowing The Claims Of Debtor's Employees Not Participants In Debtor's Employee Pension Plan (Motion filed 2/27/19)

Claim No. 51	Diane Soto	\$54,775.00
Claim No. 57	Angelina Sharman	\$45,000.00
Claim No. 60	Terry Suo	\$49,575.00

FR: 4-4-19

Docket 504

Tentative Ruling:

Tentative for 5/15/19 is to GRANT as to the Claims of Diane Soto [Claim No. 51], Terry Suo [Claim No. 60] and CONTINUE to June 27, 2019 at 11:00 a.m. as to the Claim of Angelina Sharman [Claim No. 57]. The Notice of Objection as to Ms. Sharman, which was filed April 10, 2019 [Dk. 632] attached the incorrect proof of claim (it attached the proof of claim of Southern California Edison).

Appearances are excused.

Movant to lodge an order within seven (7) days.

Tentative for 4/4/19 is to GRANT the Third Omnibus Motion for Order Disallowing Claims [Dk. 504], except as follows:

The Claims of Diane Soto [Claim No. 51], Terry Suo [Claim No. 60], and Angelina Sharman [Claim No. 57] are CONTINUED to May 15, 2019, at 11:00 a.m., to allow Movant effect proper service. Movant must properly serve these

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

CONT... **California Hispanic Commission on Drug and Alcohol** **Chapter 11**

claimants with the Objection and notice of the Objection and continued hearing date in accordance with LBR 3007-1(b), and file the appropriate notice and/or proof of service.

LBR 3007-1(b)(2) requires service "on the claimant at the address disclosed by the claimant in its proof of claim *and* such other addresses and upon such parties as may be required by FRBP 7004 and other applicable rules." (emphasis added). Where the address listed on the proof of claim differs from or does not comply with FRBP 7004, as stated on the Court's website, this Court requires the claim objection to be served on both addresses.

Claimant Diane Soto was served with the Notice at 2550 E. Ward Street, Apt. 77, Arcadia, CA 92806; however, the address on Proof of Claim No. 51 is 2550 E. Ward Street, Apt. 77, Anaheim, CA 92806. In addition, it appears that this Claimant was served with notices of hearings on objections to the same claim for two different dates, which may be confusing.

Claimant Terry Suo was served with the Notice at 4008 Sand Harbour Lane, Elk Grove, CA 95788-4611; however, the address on Proof of Claim No. 60 is 9372 Waddell Lane, Elk Grove, CA 95624. In addition, an incorrect proof of claim was attached to the Notice filed February 27, 2019 [Dk. 528], although the correct Proof of Claim was attached to the motion.

Finally, it appears that Claimant Angelina Sharman was served with notices of hearings on objections to the same claim for two different dates. This matter is continued to avoid any potential confusion caused by the double notice.

This matter appears to be uncontested. Accordingly, no court appearance by Movant is required on April 4, 2019. Should a party file a late opposition or appear at the hearing to oppose the Motion as to any claim not continued above, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol

Chapter 11

Debtor(s):

California Hispanic Commission on

Represented By

Michael R Totaro

Linda F Cantor ESQ

Victoria Newmark

Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room

5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#8.00

CONT'D Hearing RE: Fifth Omnibus Motion For Order Disallowing The Claims That Are Not Owed By The Debtor (Motion filed 2/28/219)

Claim No.	California Employers Association	\$563.57
Claim No.	California State Disbursement Unit	\$531.31
Claim No.	Ford Motor Credit Company, LLC	\$212,824.02
Claim No. 26-1	General Electric Capital Corporation	\$86,702.95
Claim No.	Draegar Safety Diagnosis	\$106,933.69
FR: 4-4-19		

Docket 538

Tentative Ruling:

Tentative for 5/15/19 is to GRANT as to all Claimants, except as to Claimant General Electric Capital Corporation, which is CONTINUED to June 27, 2019 at 11:00 a.m. to allow Movant to effectuate proper notice upon General Electric Capital Corporation.

Movant filed and served a Notice of Objection to Claims on 4/10/19 [Dk. 634], and under paragraph 1 of page 1, Movant listed the claimant name incorrectly as "General Electric Credit Corporation." The attached Proof of Claim shows Claimant differently as "General Electric Capital Corporation." However, this entity is not an active business entity in California. There is an active listing for "General Electric Company" which does list the same registered agent and address which the Movant used to serve the listed Claimant, General Electric Capital Corporation. So it appears that service is proper, but that notice is

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

**CONT... California Hispanic Commission on Drug and Alcohol
improper.**

Chapter 11

Appearances are excused.

Movant to lodge an order within seven (7) days.

Tentative for 4/4/19 is to GRANT the Fifth Omnibus Motion for Order Disallowing Claims [Dk. 538], except as follows:

The Motion with respect to the Claims of California Employers Association, California State Disbursement Unit, and General Electric Capital Corporation, CONTINUED to May 15, 2019, at 11:00 a.m., to allow Movant effect proper service. Movant must properly serve these claimants with the Objection and notice of the Objection and continued hearing date in accordance with LBR 3007-1(b), and file the appropriate notice and/or proof of service.

LBR 3007-1(b)(2) requires service "on the claimant at the address disclosed by the claimant in its proof of claim *and* such other addresses and upon such parties as may be required by FRBP 7004 and other applicable rules." (emphasis added). FRBP 7004(b) requires, among other things, that a corporation, partnership or other unincorporated association be served "to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment of law to receive service of process." See FRBP 7004(b)(3). Where the address listed on the proof of claim differs from or does not comply with FRBP 7004, as stated on the Court's website, this Court requires the claim objection to be served on both addresses.

Scheduled Claimant California Employer's Association was served with the Motion at 1451 River Park Dr. #116, Sacramento, CA 95815, which is the same address Debtor listed on the schedules. Although there was no proof of claim filed, this address does not comply with FRBP 7004. Moreover, the Court was unable to locate a filed notice of objection to this claim.

Scheduled Claimant California State Disbursement Unit was served with the Notice and Motion at California State Disbursement Unit, P.O.Box 98906, West

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol Chapter 11

Sacramento, CA 95798. However, this address is not one of the registered addresses listed in the Court Manual, so service does not comply with FRBP 7004.

Scheduled Claimant Draegar Safety Diagnosis was served with the Notice and Motion at Draeger Safety Diagnosis, 4040 W. Royal Lane, Suite 136, Irving, TX 75063. This does not comply with FRBP 7004.

Claimant General Electric Capital Corporation [Claim No. 26-1] was served with the Motion and Notice [Dk. 544, filed 2/28/19] at two addresses: (1) General Electric Credit Corporation, Yvette Cedeno, General Electric Capital Corporation, 1010 Thomas Edison Blvd., SW, Cedar Rapids, IA 52404. (2) General Electric Credit Corporation, PO Box 31001-0271, Pasadena, CA 91110. Although both addresses are listed on the Proof of Claim, neither address complies with FRBP 7004. In addition, the heading on "General Electric Credit Corporation" may be misleading given that the creditor is "General Electric Capital Corporation." In addition, it appears that this creditor may have been served with notices of hearings on objections to the same claim for two different dates, which may be confusing.

The Motion as to Claimant Ford Motor Credit Company, LLC ("Ford") is DENIED without prejudice. Ford is not listed on Schedule F [Dk. 114]. Although Schedule D lists Ford as having several secured claims, none of these claims are for the \$212,824.02 amount listed in the Motion. It is not clear to this Court what claim Movant is objecting to. Moreover, the Court was unable to locate a filed notice of objection to this claim, and it is not clear that the Motion was served in accordance with FRBP 7004. While the Motion appears to have been served on Ford at two addresses, including on the attorney who previously filed a Motion for Relief from the Automatic Stay in this case, it is not clear that this attorney is authorized to receive service of process with respect to a claim objection or that either listed address otherwise complies with FRBP 7004.

This matter appears to be uncontested. Accordingly, no court appearance by Movant is required on April 4, 2019. Should a party file a late opposition or appear at the hearing to oppose the Motion as to any claim not continued above, the Court will determine whether further hearing is required and Movant will be so

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol
notified.

Chapter 11

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room

5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#9.00

CONT'D Hearing RE: Sixth Omnibus Motion For Order Reducing And Allowing Claims
(Motion filed 2/28/19)

Claim No.	Bay Alarm	\$433.03
Claim No.	Capital Premium Finance	\$1,882.79
Claim No.	City of Vacaville	\$652.00
Claim No.	Clinivate	\$13,750.00
Claim No.	Coveral North America, Inc.	\$10,617.00
Claim No.	Genesis Title Holding Company	\$773,157.15
Claim No.	Neshek's Auto Repair	\$3,101.30
Claim No.	Southern California Edison Company	\$7,888.00
Claim No.	Southern California Gas Company	\$6,180.00
[OFF CALENDAR - ORDER ON STIPULATION TO RESOLVE CLAIM OBJECTION OF SOUTHERN CALIFORNIA GAS COMPANY ONLY ENTERED 5-13-19 - [693]		
Claim No. 28-1	Zoom Imaging Solutions, Inc.	\$2,550.43

FR: 4-4-19

Docket 549

Tentative Ruling:

Tentative for 5/15/19 is to GRANT.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol

Chapter 11

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Tentative for 4/4/19 is to GRANT the Sixth Omnibus Motion for Order Disallowing Claims [Dk. 549], except as follows:

The Motion with respect to the Claims of Bay Alarm, Capital Premium Finance, the City of Vacaville, Clinivate, Coveral North America, Inc., Genesis Title Holding Company, Neshek's Auto Repair, Southern California Edison Company, and Zoom Imaging Solutions, Inc. is CONTINUED to May 15, 2019, at 11:00 a.m., to allow Movant to effect proper service.

LBR 3007-1(b)(2) requires service "on the claimant at the address disclosed by the claimant in its proof of claim *and* such other addresses and upon such parties as may be required by FRBP 7004 and other applicable rules." (emphasis added). FRBP 7004(b) requires, among other things, that a corporation, partnership or other unincorporated association be served "to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment of law to receive service of process," and a "state or municipal corporation or other governmental organization thereof" must be served "to the person or office upon whom process is prescribed to be served by the law of the state in which service is made." See FRBP 7004(b)(3), (6).

Where the address listed on the proof of claim differs from or does not comply with FRBP 7004, as stated on the Court's website, this Court requires the claim objection to be served on both addresses.

Service on the listed claimants did not comply with FRBP 7004 or was otherwise defective. Movant must properly serve all claimants with the Objection and notice of the Objection and continued hearing date in accordance with LBR 3007-1(b),

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol
and file the appropriate notice and/or proof of service.

Chapter 11

This matter appears to be uncontested. Accordingly, no court appearance by Movant is required on April 4, 2019. Should a party file a late opposition or appear at the hearing to oppose the Motion as to any claim not continued above, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

8:17-11114 Bradley B Mugar

Chapter 7

Adv#: 8:17-01108 Marshack v. Mugar et al

#10.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Debt And/Or To Deny A Discharge
(Complaint filed 6/26/17)
(set per Order Entered 8/15/18)

FR: 3-20-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
ADVERSARY PROCEEDING ENTERED 4-8-19 - (DOCKET NO. [89])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bradley B Mugar

Represented By
Parisa Fishback
John Edwards

Defendant(s):

Bradley B Mugar

Represented By
John Edwards

Sandra Mugar

Represented By
John Edwards

Joint Debtor(s):

Susan E Mugar

Represented By
Parisa Fishback
John Edwards

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

CONT... Bradley B Mugar

Chapter 7

Plaintiff(s):

Richard A. Marshack

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael G Spector

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

8:18-11215 Nitikorn Thipavong

Chapter 7

#11.00

Hearing RE: Trustee's Final Report And Applications For Compensation
(Final Report filed 4/2/19)

**[RE: RICHARD A. MARSHACK - Chapter 7 Trustee]
[Fees: \$37,166.36; Expenses: \$186.71]**

**[RE: DONALD W. SIEVEKE - Attorney For Chapter 7 Trustee]
[Fees: \$10,000.00; Expenses: \$0.00]**

**[RE: HAHN FIFE & COMPANY, LLP - Accountant For Chapter 7 Trustee]
[Fees: \$1,428.00; Expenses: \$251.50]**

Docket 73

Tentative Ruling:

Tentative for 5/15/19 is to APPROVE the final report, as requested.

Chapter 7 Trustee fees are presumed reasonable if they are requested at the statutory rate, and should be approved without any significant additional review absent extraordinary circumstances. See *In re Salgado-Nava*, 473 B.R. 911, 921 (B.A.P. 9th Cir. 2012). The Trustee's Reply filed 5/8/19 [Dk. 97] is well-taken. The Opposition filed 4/12/19 [Dk. 96] has not presented the Court with any extraordinary circumstances such that the Court should deviate from the statutory § 326(a) commission and is therefore overruled. Indeed, the Trustee has agreed to substantially reduce his statutory fee to less than he would otherwise be entitled. Creditor's assertion that the statutory fee should be premised on her payment of \$95,000 is misguided. The statutory fee is calculated based on all funds disbursed, including those to secured creditors. See 11 USC § 326(a). Creditor's arguments regarding the creation of a "scheme" solely to benefit the Trustee and his professionals are likewise misguided, especially given Creditor's consent to the purchase and sale of the property.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

CONT... Nitikorn Thipavong

Chapter 7

Appearances required.

Party Information

Debtor(s):

Nitikorn Thipavong

Represented By
Catherine Christiansen

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

8:19-10206 James Patrick Jensen

Chapter 7

#12.00

Hearing RE: Motion By United States Trustee To Determine Whether Compensation Paid To Counsel Was Excessive Under 11 U.S.C. Section 329 And F.R.B.P. Rule 2017
(Motion filed 3/26/19)

[Tele. appr., Angela Mestre, repr., James Patrick Jensen]

Docket 10

Tentative Ruling:

Tentative for 5/15/19:

The Court would like to hear from the United States Trustee as to whether this matter is now moot in light of Debtor's counsel's representation in her Response filed 5/1/19 [Dk. 14] that she has refunded all of the compensation she received from Debtor.

Appearances required.

Party Information

Debtor(s):

James Patrick Jensen

Represented By
Angela Mestre

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 15, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#12.10

Hearing RE: Debtor's Motion For Order: (1) Authorizing Sale Of Real Property Located At 37370 Horsemans, Temecula, California Pursuant To 11 U.S.C. Section 363(b) And (f); (2) Approving Overbid Procedures; (3) Approving Buyer, Successful Bidder, And Back-Up Bidder As Good-Faith Purchaser Pursuant To 11 U.S.C. Section 363(m); And (4) Authorizing Payment Of Real Estate Broker's Commission And Ordinary Costs Of Sale
(Motion filed 4/24/19)

Docket 873

Tentative Ruling:

Tentative for 5/15/19:

Appearances required.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall

Robert S Marticello

Michael Simon

Philip E Strok

Kyra E Andrassy

Roger F Friedman

Susan K Seflin

Steven T Gubner

Corey R Weber

Michael W Davis

Kathy Bazoian Phelps

Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 6, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison

Chapter 11

Adv#: 8:17-01046 Sun Coast Farms LLC v. Harrison et al

#1.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Adversary Complaint To Determine Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(4) And 11 U.S.C. Section 523(a)(2) And Third Party Complaint (Complaint filed 3/24/17) (Third Party Complaint filed 5/9/17) (PTC set at S/C held 10/25/18)

FR: 6-14-17; 12-14-17; 4-19-18; 5-3-18; 10-18-18; 10-25-18

Docket 1

***** VACATED *** REASON: ADVANCED TO MAY 2, 2019 AT 11:00 A.M. PER HEARING HELD 2-21-19**

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Charles Flowers Harrison

Pro Se

Martha Isabel Montoya

Pro Se

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones
Sara Tidd

Plaintiff(s):

Sun Coast Farms LLC

Represented By
Bart M Botta

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 6, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

6:19-11991 Gary Wilmer Gunn and Catherine Patricia Gunn

Chapter 7

#1.00

Prober & Raphael, A Law Corporation - movant attorney

Motion for Relief from Stay

Navy Federal Credit Union vs. DEBTORS
(Motion filed 5/1/19)

Re: 2004 Itasca Sunova 30B RE: VIN# 1F6MF53S640A03858

Docket 14

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Gary Wilmer Gunn

Represented By
Daniel King

Joint Debtor(s):

Catherine Patricia Gunn

Represented By
Daniel King

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

6:19-12157 Jamie M. Miller-Fullinwider

Chapter 7

#2.00

Prober & Raphael, A Law Corporation - movant attorney

Motion for Relief from Stay

Navy Federal Credit Union vs. DEBTOR
(Motion filed 5/1/19)

Re: 2018 Toyota Prius, VIN JTDKARFU5J3554686

EH_____

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jamie M. Miller-Fullinwider

Represented By
C Scott Rudibaugh

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

6:19-12414 Abraham Daniel Bitolas and Amanda Cruz Pina Bitolas

Chapter 7

#3.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

ACAR Leasing LTD vs. DEBTOR, Lynda T. Bui, trustee
(Motion filed 5/1/19)

Re: 2017 Chevrolet Traverse VIN 1GNKVHKD5HJ259864

EH_____

Docket 12

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Abraham Daniel Bitolas

Represented By
Todd L Turoci

Joint Debtor(s):

Amanda Cruz Pina Bitolas

Represented By
Todd L Turoci

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

CONT... Abraham Daniel Bitolas and Amanda Cruz Pina Bitolas

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

6:19-12668 Richard Myres and Rachel Myres

Chapter 7

#4.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA, Inc. vs. DEBTOR, Howard B. Grobstein, trustee
(Motion filed 4/24/19)

Re: 2015 Dodge Journey VIN 3C4PDCBG9FT754623

EH_____

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Richard Myres

Represented By
M. Wayne Tucker

Joint Debtor(s):

Rachel Myres

Represented By
M. Wayne Tucker

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

CONT... Richard Myres and Rachel Myres

Chapter 7

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

6:19-12698 Linda Van Horssen

Chapter 7

#5.00

Sissac Legal Group, PC - movant attorney

Motion for Relief from Stay

Financial Services Vehicle Trust vs. DEBTOR
(Motion filed 5/9/19)

RE: 2018 BMW 3 Series 320i Sedan 4D

EH _____

Docket 13

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Linda Van Horssen

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

6:19-12921 Cynthia Pina

Chapter 7

#6.00

Sissac Legal Group P.C. - movant attorney

Motion for Relief from Stay

BMW Bank of North America vs. DEBTOR
(Motion filed 4/30/19)

Re: 2017 BMW X3 sDrive28i Sport utility 4D

EH_____

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Cynthia Pina

Represented By
Ivan Trahan

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

6:19-12996 Frederick L.D. Jackson, III

Chapter 7

#7.00

Kimball, Tirey & St. John, LLP - movant attorney

Motion for Relief from Stay

Avalonbay Communications, Inc. vs. DEBTOR
(Motion filed 5/16/19)

RE: 5701 Park Dr. #9211 Chino Hills, CA 91709

EH _____

Docket 16

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver and annulment as requested.

Movant has provided evidence that its action in filing the unlawful detainer proceeding after Debtor's bankruptcy case was filed was taken without knowledge of the automatic stay. Further, Debtor has not provided any evidence that annulment is not warranted. Pursuant to 11 U.S.C. § 362(g), debtor bears the burden of proof on this issue. See also *Souang v. Fularon*, 2011 Bankr. LEXIS 4335 (9th Cir. BAP 2011) ("[T]he debtor bears the ultimate burden of proving that the request for retroactive relief from the stay should be denied.").

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

CONT... Frederick L.D. Jackson, III

Chapter 7

Debtor(s):

Frederick L.D. Jackson III

Represented By
Daniel King

Movant(s):

AvalonBay Communities, Inc.

Represented By
Scott Andrews

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

6:19-13107 Mahdi Fereydouni and Leila Taherkhani

Chapter 7

#8.00

Vanlochem & Associates LLP - movant attorney

Motion for Relief from Stay

Infiniti Financial Services vs. DEBTORS
(Motion filed 5/6/19)

Re: 2017 INFINITI QX80, VIN # JN8AZ2NF7H9646442

EH_____

Docket 14

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Mahdi Fereydouni

Represented By
Paul Y Lee

Joint Debtor(s):

Leila Taherkhani

Represented By
Paul Y Lee

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

CONT... Mahdi Fereydouni and Leila Taherkhani

Chapter 7

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

6:19-13530 Carolyn Margaret Katona

Chapter 7

#9.00

Barry Lee O'Connor, APLC - movant attorney

Motion for Relief from Stay

Phillip Edward Hakopian vs. DEBTOR
(Motion filed 5/17/19)

RE: 1183 Mountain Gate Rd Upland, CA 91786

EH _____

Docket 7

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Carolyn Margaret Katona

Represented By
Neil R Hedtke

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

6:19-13826 MaryAnn Evers

Chapter 7

#10.00

Law Offices of Vincent V. Frounjian, P.C. - movant attorney

Motion for Relief from Stay

American Honda Finance Corporation vs. DEBTOR, Todd A. Frealy, chapter 7 trustee
(Motion filed 5/16/19)

Re: 2017 HONDA ACCORD, VIN: 1HGC R2F1 7HA0 28951

Docket 11

***** VACATED *** REASON: Case Dismissed 6/11/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

MaryAnn Evers

Pro Se

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

10:00 AM

6:19-14065 Crabrill C Williams

Chapter 7

#10.10

Kui Din Lui - movant pro se

Motion for Relief from Stay

Kui Din Lui vs. Williams
(Motion filed 5/20/19)

Re: 13379 Alpine Street, Moreno Valley, CA 92553

EH_____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver and extraordinary relief as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Crabrill C Williams

Pro Se

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:95-17788 Pca Feed & Supply Inc

Chapter 7

#11.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 6/11/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee is to lodge an order within seven (7) days.

Party Information

Debtor(s):

Pca Feed & Supply Inc

Represented By
David B Friedman

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:11-13606 Manuel Mariano Ramirez and Angelia Michelle Ramirez

Chapter 7

#12.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 6/11/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee is to lodge an order within seven (7) days.

Party Information

Debtor(s):

Manuel Mariano Ramirez

Represented By
Aruna P Rodrigo

Joint Debtor(s):

Angelia Michelle Ramirez

Represented By
Aruna P Rodrigo

Trustee(s):

Helen R. Frazer (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:11-42353 Tony Budzevski

Chapter 7

#13.00

Hrg. on Debtor's Motion to Reopen Closed Chapter 7 Case

EH ____

Docket 17

***** VACATED *** REASON: Order entered on 5/22/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tony Budzevski

Represented By
Scott R Burton

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:16-19793 Emanuel V Katsaros and Wendy L Katsaros

Chapter 7

#15.00

Hrg. on chapter 7 trustee's Motion filed 4/24/19 to Disallow Claims #6 of Los Angeles County Treasurer and Tax Collector

EH_____

Docket 39

*** VACATED *** REASON: Notice of Trustee's Withdrawal filed 5/8/19 -
jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Emanuel V Katsaros

Represented By
Stephen R Wade

Joint Debtor(s):

Wendy L Katsaros

Represented By
Stephen R Wade

Trustee(s):

Robert Whitmore (TR)

Represented By
Hydee J Riggs

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:16-20430 Bernadette Chapman

Chapter 7

#16.00

Hrg. on Trustee's Intention to Abandon Real Property

EH _____

Docket 0

***** VACATED *** REASON: Withdrawal filed on 5/28/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bernadette Chapman

Represented By
Giovanni Orantes
Richard L Antognini

Trustee(s):

Karl T Anderson (TR)

Represented By
Todd L Turoci
Julie Philippi

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:17-12206 Kelly Hein

Chapter 7

#17.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 6/11/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee is to lodge an order within seven (7) days.

Party Information

Debtor(s):

Kelly Hein

Represented By
Eric M Papp

Trustee(s):

Charles W Daff (TR)

Represented By
Lynda T Bui
Rika Kido

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:17-17713 William P VanDerWeele

Chapter 7

#18.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 82

Tentative Ruling:

Tentative for 6/11/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee is to lodge an order within seven (7) days.

Party Information

Debtor(s):

William P VanDerWeele

Represented By
Sundee M Teeple

Trustee(s):

Robert Whitmore (TR)

Represented By
Caroline Djang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:17-18530 Robert Kessler and Irma Guardado Kessler

Chapter 7

#19.00

Hrg. on Trustee's Final Report; Application for Compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 6/11/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee is to lodge an order within seven (7) days.

Party Information

Debtor(s):

Robert Kessler

Represented By
David Lozano

Joint Debtor(s):

Irma Guardado Kessler

Represented By
David Lozano

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:17-18926 Southern Pacific Janitorial Group, Inc.

Chapter 7

#20.00

Hrg. on Final Application filed 4/25/19 for Compensation and Reimbursement of Expenses of Michael Jay Berger, Debtor's Attorney, Period: 9/15/2017 to 12/15/2017, Fees: \$13,685.50, Expenses: \$1,483.69.

EH_____

Docket 83

Tentative Ruling:

Tentative for 6/11/19:

Appearances required. Mr. Berger is instructed to appear in person in Santa Ana.

Party Information

Debtor(s):

Southern Pacific Janitorial Group,

Represented By
Michael Jay Berger

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:17-19913 Thomas John Forrest

Chapter 7

#21.00

Hrg. on Debtor and Debtor's spouse Motion filed 5/1/19 for administrative claim

EH_____

Docket 50

Tentative Ruling:

Tentative for 6/11/19:

Appearances required.

Party Information

Debtor(s):

Thomas John Forrest

Represented By
Michael F Chekian

Trustee(s):

Larry D Simons (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:18-10758 Angela Quinn

Chapter 7

#22.00

Hrg. on Trustee's Final Report; Applications for Compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 6/11/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee is to lodge an order within seven (7) days.

Party Information

Debtor(s):

Angela Quinn

Represented By
James P Doan

Trustee(s):

Karl T Anderson (TR)

Represented By
Robert P Goe
Thomas J Eastmond

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:18-17558 Gary David Brandt, II

Chapter 7

#23.00

Hrg. on approval of Trustee's Final Report; Applications for Compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 6/11/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee is to lodge an order within seven (7) days.

Party Information

Debtor(s):

Gary David Brandt II

Represented By
Brian J Soo-Hoo

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:19-10538 Raymond Richard Quinto, Jr.

Chapter 7

#24.00

Hrg. on Motion for Order; 1) Approving sale of real property and bidding procedures; 2) Approving sale free & Clear of Liens; 3) Finding that buyer is a good faith purchaser; 4) Authorizing Payment of Real Estate Agent's Commission; 5) Waiving 14-Day Stay of Rule 6004(H)

Re: 9993 Mountain View Ave., Cherry Valley, CA 92223

EH _____

Docket 47

Tentative Ruling:

Tentative for 6/11/19 is to GRANT.

Trustee is to conduct an auction.

Party Information

Debtor(s):

Raymond Richard Quinto, Jr.

Represented By
John D Faucher

Trustee(s):

Steven M Speier (TR)

Represented By
Robert P Goe
Elizabeth A LaRocque

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:19-10538 Raymond Richard Quinto, Jr.

Chapter 7

#25.00

Hrg. on Motion to Compromise the controversy that exists between the Trustee and Kasey Quinto resolving the sale of her interest in the Real Property located at 9993 Mountain View Avenue, Cherry Valley, CA 92223

EH _____

Docket 50

Tentative Ruling:

Tentative for 6/11/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Raymond Richard Quinto, Jr.

Represented By
John D Faucher

Trustee(s):

Steven M Speier (TR)

Represented By
Robert P Goe
Elizabeth A LaRocque

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

11:00 AM

6:19-10976 Yvette Rachel Kuglin

Chapter 7

#26.00

Hrg. on Motion for Turnover of Property held by Debtor pursuant to 11 U.S.C.
542 (a) and (e)

EH _____

Docket 10

Tentative Ruling:

Tentative for 6/11/19:

Appearances required.

Party Information

Debtor(s):

Yvette Rachel Kuglin

Represented By
Thomas E Brownfield

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#27.00

Hrg on City of San Bernardino's Sixteenth Omnibus Objection to Claim Barbara Jenkins, to allow the parties to proceed in state court to determine the City's liability.

EH ____

Docket 2723

Tentative Ruling:

Revised Tentative for 6/11/19:

The Court has received and reviewed the status report filed May 28, 2019 [Dk. 2842] and the Supplemental Report filed June 7, 2019 [Dk. 2845] and will CONTINUE this matter to October 15, 2019 at 1:30 p.m. A status report is due 14 days in advance. If a final determination has been made in the state court proceeding, Movant should supplement its moving papers with appropriate authority and serve them 14 days prior to the continued hearing. Movant is to provide notice of the foregoing to claimant by no later than June 15, 2019.

Appearances are excused.

Tentative for 1/22/19 is to SUSTAIN the objections and DISALLOW the claims in the Sixteenth Omnibus Objection to Claims [Dk. 2723] ("Objection") except as follows:

With respect to the claim of Barbara Jenkins, this matter is CONTINUED to June 11, 2019 at 1:30 p.m. to allow the parties to proceed in state court to determine the City's liability. To the extent it is necessary, the Court GRANTS relief from the automatic stay for the parties to proceed in the non-bankruptcy forum for this purpose. The parties must file a status report fourteen days in

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

CONT... City of San Bernardino, California
advance of the continued hearing.

Chapter 9

Appearances are excused.

The 1/22/19 hearing is VACATED; no hearing will be held..

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#28.00

Hrg. on Fourth Motion of City of San Bernardino for an Order Extending the Deadlines to: (I) File and Serve Objections to Claims; and (II) Provide ADR Notices to Claimants

EH_____

Docket 2826

Tentative Ruling:

Tentative for 6/11/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#29.00

Hrg. on Motion of City of San Bernardino filed 5/21/19 for a Fourth Order Extending the Deadline to File Motions to Make Additions to the Schedule of Contracts and Leases to be Assumed

EH_____

Docket 2828

Tentative Ruling:

Tentative for 6/11/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:12-34801 Salvador Rivera and Teresa Rivera

Chapter 11

#30.00

Hrg. on Post Confirmation Status Conference

(Cont. from 3/19/19)

EH____

Docket 0

***** VACATED *** REASON: CASE CLOSED 5/10/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Salvador Rivera

Represented By
Andrew H Griffin III

Joint Debtor(s):

Teresa Rivera

Represented By
Andrew H Griffin III

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#31.00

Hrg. on Confirmation of Debtor's Third Amended Plan

EH_____

Docket 0

Tentative Ruling:

Tentative for 6/11/19:

Appearances required.

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes

Peter W Lianides

Alastair M Gesmundo

Robert E Opera

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#32.00

Hrg. on Chapter 11 Status Conference

EH_____

(Cont. from 4/16/19)

Docket 1

Tentative Ruling:

Tentative for 6/11/19:

None listed.

Tentative for 4/16/19:

This matter is CONTINUED to June 11, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 10/02/18 is to set the following dates/deadlines:

1. Deadline to file a Plan and Disclosure Statement: January 31, 2019. The failure to timely file a plan and disclosure statement may result in the dismissal or conversion of the case.

2. Continued Status Conference: February 19, 2019 at 1:30 p.m.

Debtor is to submit a scheduling order within seven days.

Appearances required.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

CONT... Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes

Peter W Lianides

Alastair M Gesmundo

Robert E Opera

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#33.00

Hrg. on Debtor's Motion filed 8/8/18 to Use Cash Collateral

(Cont. from 5/14/19)

EH_____

Docket 5

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Illyssa I Fogel

Movant(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Illyssa I Fogel

United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#34.00

Hrg. on Order to Show Cause why Total System Services Inc. Should not be held in Contempt of Violation of the Automatic Stay

EH_____

Docket 0

*** VACATED *** REASON: Order signed 5/31/19 approving stipulation to vacate Order to Show Cause - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes

Peter W Lianides

Alastair M Gesmundo

Robert E Opera

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#34.10

Hrg. on Debtor's Motion filed 5/28/19 for Order Approving Non-Material Modifications to Debtor's Second Amended Chapter 11 Plan

EH_____

Docket 286

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By
Bradford G Hughes
Peter W Lianides
Alastair M Gesmundo
Robert E Opera
Winthrop Couchot Golubow Hollander LLP)
Lisa Fogel & Associates

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#35.00

Hrg. on Chapter 11 Status Conference

(Cont. from 4/16/19)

EH_____

Docket 1

***** VACATED *** REASON: Cont. to 7/16/19 by order signed on 5/29/19 -
jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#36.00

Hrg. on Debtor's motion filed 11/21/18 for approval of chapter 11 Disclosure Statement

EH_____

Docket 53

*** VACATED *** REASON: CONTINUED TO 8-6-19 AT 1:30 P.M. PER ORDER CONTINUING ENTERED 5-24-19

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

Movant(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West, Inc. d/b/a Altavita Villag

Chapter 11

#37.00

Hrg. on Chapter 11 Status Conference

(Cont. from 5/14/19)

EH_____

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Air Force Village West, Inc. d/b/a

Represented By
Samuel R Maizel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#38.00

Sale Hearing to approve the sale of the Purchased Assets to the Successful Bidder

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#39.00

Hrg. on Chapter 11 Status Conference

EH_____

Docket 0

Tentative Ruling:

Tentative for 6/11/19:

The Court will set dates/deadlines and is inclined to substantially adopt those proposed by Debtor in the status report filed May 28, 2019 [Dk. 96], as follows:

1. Deadline to file a Plan and Disclosure Statement: June 30, 2019. The failure to timely file a plan and disclosure statement may result in the dismissal or conversion of the case.
2. Claims Bar Date: July 15, 2019
3. Deadline to File Objections to Claims: August 15, 2019
4. Deadline to File Avoidance Actions: August 15, 2019
5. Continued Status Conference: September 3, 2019 at 1:30 p.m.

Debtor is to submit a scheduling order within seven days.

Appearances required.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub
Nina Z Javan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

CONT... Banner Mattress, Inc.

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#40.00

Final Hrg. Authorizing the Debtor's Use Of Cash Collateral

EH _____

(Cont. from 5/15/19)

Docket 11

Tentative Ruling:

Tentative for 6/11/19 is to GRANT.

Tentative for 4/24/19:

Appearances are required. Appearances by all counsel are preferred, but not required, in Santa Ana.

In addition, the primary inside and/or outside accountant/bookkeeper should appear in person in Santa Ana, and be prepared to testify under oath regarding Debtor's finances.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 11, 2019

Hearing Room 126

1:30 PM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#41.00

Hrg. on Debtor And Debtor In Possession's Application For Entry Of An Order Pursuant To 11 U.S.C. §§ 105(a) And 363(b) Authorizing The Debtor To Retain Robert J. Forrest, Jr. To Provide Chief Financial Officer And Related Services Effective April 22, 2019

EH_____

Docket 90

Tentative Ruling:

Tentative for 6/11/19 is to GRANT.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub
Nina Z Javan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Tuesday, June 11, 2019

Hearing Room 5C

11:00 AM

8:13-14557 Joe P Stubbs

Chapter 7

Adv#: 8:19-01057 Stubbs v. United States of America, by its agency Internal R

#14.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability
Of Tax Liability

(Complaint filed 3/31/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO JUNE 12, 2019 AT 11:00
A.M. PER ORDER CONTINUING STATUS CONFERENCE ENTERED 5-
13-19 - (DOCKET NO. [3])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joe P Stubbs

Represented By
Bruce A Boice

Defendant(s):

United States of America, by its

Pro Se

Plaintiff(s):

Joe P Stubbs

Represented By
Bruce A Boice

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jeffrey I Golden (TR)

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 12, 2019

Hearing Room 126

10:00 AM

6:19-10790 Jesus A Villalpando

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement filed 5/9/19 Between Debtor and Alaska USA Federal Credit Union, in the amount of \$10,095.07

Re: 2013 Toyota Camry

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jesus A Villalpando

Represented By
Daniel King

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 12, 2019

Hearing Room 126

10:00 AM

6:19-11141 Marisa A Salgado

Chapter 7

#2.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and Cab West, LLC, in the amount of \$4,461.24

Re: 2017 Ford Fusion

Docket 17

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Marisa A Salgado

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 12, 2019

Hearing Room 126

10:00 AM

6:19-11939 Gerardo Garcia Nieto and Hortencia Nieto

Chapter 7

#3.00

Hrg. on approval of Reaffirmation Agreement Between Debtors and Ally Bank in the amount of \$11,949.98

Re: 2016 Nissan Sentra

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gerardo Garcia Nieto	Pro Se
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Joint Debtor(s):

Hortencia Nieto	Pro Se
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Trustee(s):

Larry D Simons (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 12, 2019

Hearing Room 126

10:00 AM

6:19-12419 Chad Allen Johnson and Aaleesa Hope Johnson

Chapter 7

#4.00

Hrg. on Approval of Reaffirmation Agreement filed 5/6/19 Between Debtors and CarMax Auto Finance, in the amount of \$11,595.32

Re: 2011 Toyota Venza

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chad Allen Johnson

Represented By
Daniel King

Joint Debtor(s):

Aaleesa Hope Johnson

Represented By
Daniel King

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 12, 2019

Hearing Room 126

1:30 PM

6:16-21137 Carroll Ann Vandre

Chapter 7

Adv#: 6:18-01230 Whitmore v. Scott et al

#14.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against Darbie Vandre Scott, Carroll Ann Vandre -Recovery of money/property - 548 fraudulent transfer

EH_____

(Cont. from 3/20/19)

Docket 1

Tentative Ruling:

Tentative for 6/12/19:

This matter will come off calendar in light of the tentative to grant the Motion for Default Judgment concurrently set for hearing at Matter #15.

Appearances are excused.

Tentative for 3/20/19:

This matter is CONTINUED to June 12, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Caroll Ann Vandre

Represented By
Gene P Killian

Defendant(s):

Caroll Ann Vandre

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 12, 2019

Hearing Room 126

1:30 PM

CONT... Caroll Ann Vandre

Chapter 7

Darbie Vandre Scott

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Douglas A Plazak

Trustee(s):

Robert Whitmore (TR)

Represented By
Douglas A Plazak

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 12, 2019

Hearing Room 126

1:30 PM

6:16-21137 Carroll Ann Vandre

Chapter 7

Adv#: 6:18-01230 Whitmore v. Scott et al

#15.00

Hrg. on Plaintiff's Motion filed 4/15/19 for Default Judgment as to Darbie Vandre Scott

(Cont. from 5/15/19)

EH_____

Docket 23

Tentative Ruling:

Tentative for 6/13/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Tentative for 5/15/19 is to CONTINUE to June 12, 2019 at 1:30 p.m. to allow Trustee to file additional evidence regarding service of the Complaint and the Motion for Default Judgment.

Defendant was served with both at 407 Railroad Avenue, Souris, ND 58783-8510 ("North Dakota Address"). The Declaration of Christopher M. Kiernan includes the results from the Westlaw search that resulted in the North Dakota Address. However, this is insufficient evidence to establish that the North Dakota Address was the correct and current address at which to serve the Defendant on February 13, 2019, when Another Summons was served [Dk.12], or that it remains the correct address at which to serve the Defendant with the Motion for Default Judgment.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 12, 2019

Hearing Room 126

1:30 PM

CONT... Carroll Ann Vandre

Chapter 7

Supplemental evidence regarding the sufficiency of service must be filed by
May 29, 2019.

Appearances are excused.

Party Information

Debtor(s):

Caroll Ann Vandre

Represented By
Gene P Killian

Defendant(s):

Darbie Vandre Scott

Pro Se

Caroll Ann Vandre

Pro Se

Gene P Killian

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Douglas A Plazak

Trustee(s):

Robert Whitmore (TR)

Represented By
Douglas A Plazak

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 12, 2019

Hearing Room 126

1:30 PM

6:18-18200 John Obrien

Chapter 7

Adv#: 6:19-01054 Frealy v. Obrien et al

#16.00

STATUS CONFERENCE RE: Complaint by Todd A. Frealy against John Obrien, Collene O'Brien, Kathalene M. Miller. (Charge To Estate). (\$350.00) Nature of Suit: (11 (Recovery of money/property - 542 turnover of property)),(14 (Recovery of money/property - other)),(91 (Declaratory judgment))

EH_____

Docket 1

***** VACATED *** REASON: CONTINUED TO 8/14/19 AT 1:30 PM, PER ORDER ENTERED 4/15/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John Obrien

Represented By
Christopher J Murtagh

Defendant(s):

Kathalene M. Miller

Pro Se

Collene O'Brien

Pro Se

John Obrien

Pro Se

Joint Debtor(s):

Tracy Obrien

Represented By
Christopher J Murtagh

Plaintiff(s):

Todd A. Frealy

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 12, 2019

Hearing Room 126

1:30 PM

CONT... John O'Brien

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Represented By
Christopher J Murtagh
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

8:13-14557 Joe P Stubbs

Chapter 7

Adv#: 8:19-01057 Stubbs v. United States of America, by its agency Internal R

#5.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Tax Liability
(Complaint filed 3/31/19)

FR: 6-11-19

Docket 1

Tentative Ruling:

Tentative for 6/12/19:

The Court will CONTINUE this matter to August 7, 2019 at 11:00 a.m. The Court notes the improper service of the summons (notably, the summons appears to have been served on May 27, 2019, 26 days after the listed deadline for filing an answer) and the lack of a unilateral status report. If these matters are not corrected by the next status conference, the Court will dismiss the adversary proceeding.

A joint or unilateral status report is due 14 days prior to the continued hearing date.

Appearances excused.

Party Information

Debtor(s):

Joe P Stubbs

Represented By
Bruce A Boice

Defendant(s):

United States of America, by its

Pro Se

Plaintiff(s):

Joe P Stubbs

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

CONT... Joe P Stubbs

Bruce A Boice

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jeffrey I Golden (TR)

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

8:16-15205 Stephen Matthew Huerth and Laura Elizabeth Huerth

Chapter 7

#6.00

CONT'D Hearing RE: Objection To Claim:
(Motion filed 4/5/19)

Claim No. 16 Dickey's Barbecue Restaurants, Inc. \$2,090,187.62

FR: 5-1-19

Docket 51

***** VACATED *** REASON: CONTINUED TO JULY 17, 2019 AT 11:00
A.M. PER ORDER DENYING APPLICATION ON SHORTENED NOTICE
ENTERED 5-30-19 - (DOCKET NO. [65])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Stephen Matthew Huerth

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Laura Elizabeth Huerth

Represented By
Michael Jones
Sara Tidd

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael Jones
Leslie K Kaufman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

8:17-11114 Bradley B Mugar

Chapter 7

Adv#: 8:18-01186 Marshack v. Mugar

#7.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Avoidance Of Fraudulent Transfer (11 U.S.C. Section 544(b); Cal. Civil Code Section 3439.04(a)(2);
(2) Avoidance Of Fraudulent Transfer (11 U.S.C. Section 544(b); Cal. Civil Code Section 3439.05);
(3) Recovery Of Avoided Transfers;
(4) Breach Of Contract; And
(5) Common Count-Money Lent
(Complaint filed 10/12/18)
(Another Summons Issued 3/15/19)

FR: 1-23-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
DISMISSAL WITHOUT PREJUDICE FILED 4-18-19 - (DOCKET NO.
[19])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bradley B Mugar

Represented By
Parisa Fishback
John Edwards

Defendant(s):

Ryan Mugar

Pro Se

Joint Debtor(s):

Susan E Mugar

Represented By
Parisa Fishback
John Edwards

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

CONT... Bradley B Mugar

Chapter 7

Plaintiff(s):

Richard A Marshack

Represented By
Michael G Spector

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael G Spector

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

8:17-12746 Du Sik Kang

Chapter 7

Adv#: 8:18-01112 Golden, Chapter 7 Trustee v. Bang et al

#8.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For:
(1) Avoidance Of Transfers Voidable By A Bona Fide Purchaser Of Real Property [11 U.S.C. Section 544(a)(3)];
(2) Avoidance Of Actual Fraudulent Transfer [11 U.S.C. Section 548(a)(1)(A)];
(3) Avoidance Of Constructive Fraudulent Transfer [11 U.S.C. Section 548(a)(1)(B)];
(4) Recovery Of Avoided Transfers [11 U.S.C. Section 550]; And
(5) Turnover [11 U.S.C. Section 542(a)]
(Complaint filed 6/18/18)
(First Amended Complaint filed 7/26/18)
[Judgment RE Well Fargo ONLY]

FR: 9-12-18; 11-7-18; 1-23-19; 4-17-19

Docket 11

Tentative Ruling:

Tentative for 6/12/19:

The Court has received and reviewed the Joint status report filed 6/5/19 [Dk. 43], and is inclined to set the following dates and deadlines:

1. Discovery cutoff: September 30, 2019. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: November 15, 2019. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: January 8, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

CONT... Du Sik Kang

Chapter 7

dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Appearances are excused.

Tentative for 4/17/19:

The Court has received and reviewed the Status Report filed on 4/3/19 [Dk. 40], and will CONTINUE this matter to 6/12/19 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 1/23/19 is to CONTINUE this matter to 4/17/19 at 11:00 a.m. A status report is due 14 days in advance.

The 1/23/19 hearing is VACATED.

Tentative for 11/07/18 is to CONTINUE this matter to 1/23/19 at 11:00 a.m. pursuant to the parties' request contained in the Joint Status Report filed 10/24/18 [Dk.20]. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 9/12/18 is to CONTINUE this matter to 11/7/18 at 11:00 a.m. pursuant to the parties' request contained in the Joint Status Report filed 8/28/18 [Dk.14]. A status report is due 14 days in advance.

Appearances are excused.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

CONT... Du Sik Kang

Chapter 7

Debtor(s):

Du Sik Kang

Represented By
Jisoo Hwang

Defendant(s):

Ik Soo Bang

Pro Se

Hye Young Bang

Pro Se

Ik Soo Bang, Hye Young Bang, as

Pro Se

Wells Fargo & Company

Pro Se

Plaintiff(s):

Jeffrey I. Golden, Chapter 7 Trustee

Represented By
Noreen A Madoyan

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Noreen A Madoyan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

8:17-14355 Magnetar Technologies Corporation

Chapter 7

#9.00

Hearing RE: Motion For Order Disallowing Claim:
(Motion filed 5/13/19)

Claim No. 2	Five Star Airport Alliance, Inc.	\$1,642,914.63
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Docket 64

Tentative Ruling:

Tentative for 6/12/19:

Appearances required. Counsels are instructed to appear in person in Santa Ana.

Party Information

Debtor(s):

Magnetar Technologies Corporation

Represented By
Jacqueline D Serrao

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

8:17-14355 Magnetar Technologies Corporation

Chapter 7

#10.00

Hearing RE: Motion For Order Disallowing Claim:
(Motion filed 5/2/19)

Claim No. 6	Intramin, Ltd.	\$1,642,914.63
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Docket 61

Tentative Ruling:

Tentative for 6/12/19:

Appearances required.

Party Information

Debtor(s):

Magnetar Technologies Corporation

Represented By
Jacqueline D Serrao

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

8:18-10205 James Avery Brisco and Linsey Lee Brisco

Chapter 7

#11.00

Hearing RE: Debtor's Motion For An Order Compelling The Chapter 7 Trustee To Abandon Property Of The Bankruptcy Estate
(Motion filed 4/3/19)
(Opposition filed 4/17/19)
(Set per Notice of Hearing filed 4/23/19)

Docket 33

Tentative Ruling:

Tentative for 6/12/19 is to DENY for the reasons stated in the Trustee's Opposition filed on 4/17/19 [Dk. 37].

Debtors assert the Property is burdensome or of inconsequential benefit to the Estate, apparently based solely on the fact that the Property has not yet sold and Debtor had difficulty selling the Property prepetition. Trustee, on the other hand, asserts he has engaged a broker and expects to sell the Property for the benefit of the Estate. No evidence has been provided to support Debtors' assertion. Debtors thus have failed to carry their burden to prove the Property is burdensome or of inconsequential value to the Estate. On the other hand, Trustee has established the property is likely to provide benefit to the Estate.

Appearances required.

Party Information

Debtor(s):

James Avery Brisco

Represented By
Marvin Maurice Oliver

Joint Debtor(s):

Linsey Lee Brisco

Represented By
Marvin Maurice Oliver

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

CONT... James Avery Brisco and Linsey Lee Brisco

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01064 Luminance Health Group, Inc. v. Castanon

#12.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Declaratory Relief Regarding Property Of The Estate Pursuant To 11 U.S.C. Section 541 (Complaint filed 4/3/18)
(Another Summons issued 6/22/18)
(PTC set per Scheduling Order Entered 9/17/18)

FR: 6-21-18; 7-11-18; 9-12-18; 9-19-18

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 18, 2019
AT 10:00 A.M. PER SCHEDULING ORDER ENTERED 5-15-19 -
(DOCKET NO. [53])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Michael Castanon

Pro Se

Plaintiff(s):

Luminance Health Group, Inc.

Represented By
Faye C Rasch

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

CONT...

Luminance Recovery Center, LLC

Kyra E Andrassy

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 12, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#13.00

Hearing RE: Chapter 7 Trustee's Motion For An Order: (1) Approving The Trustee's Motion For Order Approving Compromise Of Controversy Regarding Recovery Of Membership Interests In Orange County Properties LLC Pursuant To FRBP 9019; (2) Authorizing The Trustee To Use Property Of The Estate In The Form Of A 100% Membership Interest In Orange County Properties LLC Outside The Ordinary Course Of Business Pursuant To Section 363 To Execute Corporate Member Resolutions Of Orange County Properties LLC To Replace The Manager Of Orange County Properties LLC And Complete The Pending Sale Of The Commercial Real Property Owned by Orange County Properties LLC
(Motion filed 5/17/19)

Docket 185

Tentative Ruling:

Tentative for 6/12/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, June 13, 2019

Hearing Room 126

12:00 PM

6:17-19913 Thomas John Forrest

Chapter 7

#20.00

Evidentiary hrg. on Debtor and Debtor's spouse for order withdrawing mutual waiver of right to claim state exemptions

EH_____

(Date and time okay'd by Chambers)

Docket 34

***** VACATED *** REASON: Debtors' Voluntary Dismissal of motion filed
4/12/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Thomas John Forrest

Represented By
Michael F Chekian

Trustee(s):

Larry D Simons (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

10:00 AM

8:17-11114 Bradley B Mugar and Susan E Mugar

Chapter 7

#1.00

Motion for relief from stay [Real Property]

JPMorgan Chase Bank, National Association vs. DEBTORS
(Motion filed 5/21/19)

[RE: 2126 North Grandview Road, Orange, CA 92867]

Docket 124

Tentative Ruling:

Tentative for 6/13/19 is to DENY:

The Court cannot grant relief from the stay as the stay does not apply to this property. See, e.g., §362(c)(1). This property is not property of the estate; it was abandoned pursuant to an order entered 8/30/19 [Dk. 101].

The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will be held.

Movant is to lodge an order within seven (7) days.

Party Information

Debtor(s):

Bradley B Mugar

Represented By
Parisa Fishback
John Edwards

Joint Debtor(s):

Susan E Mugar

Represented By
Parisa Fishback
John Edwards

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

10:00 AM

CONT... Bradley B Mugar and Susan E Mugar

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael G Spector

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

10:00 AM

8:18-13588 Tim M McKenna

Chapter 7

#2.00

Motion for relief from stay [Real Property]

HSBC Bank USA, National Association, As Trustee, In Trust For The Registered Holders Of ACE Securities Corp. Home Equity Loan Trust, Series 2007-WM1, Asset Backed Pass-Through Certificates vs. DEBTOR
(Motion filed 4/18/19)
(Amended Notice of Motion filed 5/20/19)

[RE: 78236 Calle Las Ramblas, La Quinta, CA 92253]

Docket 123

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will be held.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Tim M McKenna

Represented By
Michael G Spector

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Ryan W Beall
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

10:00 AM

8:19-11061 Micheal Powe

Chapter 7

#3.00

Motion for relief from stay [Personal Property]

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 4/12/19)

[RE: 2013 Toyota Prius - VIN No.: JTDKN3DP7D3042155]

Docket 12

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will be held.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Micheal Powe

Represented By
Alon Darvish

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

10:00 AM

8:19-11161 Holly Jo Havlik

Chapter 7

#4.00

Motion for relief from stay [Personal Property]

San Diego County Credit Union vs. DEBTOR
(Motion filed 4/16/19)

[RE: 2013 Infinity JX - VIN No.: 5N1AL0MN9DC310519]

Docket 8

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION FOR RELIEF - SETTLED BY STIPULATION - ENTERED 4-25-
19 - (DOCKET NO. [12])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Holly Jo Havlik

Represented By
James P Doan

Trustee(s):

Karen S Naylor (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Thursday, June 13, 2019

Hearing Room 5C

10:00 AM

8:19-11166 Douglas Kyle Morgen

Chapter 7

#5.00

Motion for relief from stay [Personal Property]

Financial Services Vehicle Trust vs. DEBTOR
(Motion filed 5/3/2019)

**[RE: 2016 BMW 3 Series 340i xDrive Sedan 4D]
[VIN No.: WBA8B7G5XGNT96052]**

Docket 10

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION FOR RELIEF - SETTLED BY STIPULATION - ENTERED 5-23-
19 - (DOCKET NO. [17])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Douglas Kyle Morgen

Represented By
Joseph A Weber

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

10:00 AM

8:19-11174 Robert A. Carranza

Chapter 7

#6.00

Motion for relief from stay [Personal Property]

ACAR Leasing LTD d/b/a GM Financial Leasing vs. DEBTOR
(Motion filed 4/30/19)

[RE: 2018 GMC Terrain AWD - VIN No.: 3GKALXEXXJL298737]

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will be held.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Robert A. Carranza

Represented By
Christian T Spaulding

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

10:00 AM

8:19-11222 Charles Samih Boula

Chapter 7

#7.00

Motion for relief from stay [Real Property]

HSBC Bank USA, National Association As Trustee For Merrill Lynch Mortgage Investors, Inc., Mortgage Pass-Through Certificates, MANA Series 2007-AF1 As Serviced By Nationstar Mortgage LLC d/b/a Mr. Cooper vs. DEBTOR
(Motion filed 5/21/19)

[RE: 25414 Wharton Drive, Stevenson Ranch, CA, 91381]

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1), § 362(d)(2) and § 362(d)(4) with 4001(a)(3) waiver.

"To obtain relief under §362(d)(4), the court must find three elements to be present. First, debtor's bankruptcy filing must have been part of a scheme. Second, the object of the scheme must be to delay, hinder, or defraud creditors. Third, the scheme must involve either (a) the transfer of some interest in the real property without the secured creditor's consent or court approval, or (b) multiple bankruptcy filings affecting the property. For the court to grant relief under § 362(d)(4), and thus trigger two years of prospective relief as to the subject real property, it must affirmatively find that the three elements above are present." *In re First Yorkshire Holdings, Inc.*, 470 B.R. 864, 870-71 (B.A.P. 9th Cir. 2012). Here, Movant has submitted evidence of a scheme to delay, hinder or defraud, involving the transfer of an interest in the property without Movant's consent.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will be held.

Movant to lodge an order within seven (7) days.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

10:00 AM

CONT... Charles Samih Boula

Chapter 7

Party Information

Debtor(s):

Charles Samih Boula

Pro Se

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

10:00 AM

8:19-11325 Justin Hyde

Chapter 7

#8.00

Motion for relief from stay [Personal Property]

VW Credit, Inc. vs. DEBTOR
(Motion filed 4/22/19)

[RE: 2016 Audi A7 - VIN No.: WAU2GAF5GN195583]

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will be held.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Justin Hyde

Pro Se

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

10:00 AM

8:19-11594 Keith M. Trombetta

Chapter 7

#9.00

Motion for relief from stay [Unlawful Detainer]

Ridgecrest Partners L.P. vs. DEBTOR
(Motion filed 5/7/19)

[RE: 21372 Lake Forest Drive, #B, Lake Forest, CA 92630]

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will be held.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Keith M. Trombetta

Represented By
Joseph M Tosti
Scott Andrews

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

10:00 AM

8:19-11596 Jessica Gomez

Chapter 7

#10.00

Hearing RE: Motion for relief from stay [Personal Property]

Honda Lease Trust vs. DEBTOR; And Richard A. Marshack, Chapter 7 Trustee
(Motion filed 5/13/19)

[RE: 2017 Honda Accord - VIN No.: 1HGC R2F5 3HA2 94082]

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will be held.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jessica Gomez

Represented By
Chris T Nguyen

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

10:00 AM

8:19-11891 Vibes Hot Yoga LLC

Chapter 7

#11.00 Motion for relief from stay [Unlawful Detainer]

VBAS Properties, Inc. vs. DEBTOR
(Motion filed 5/23/19)

[RE: 100 W. Coast Highway, Suite 103, Newport Beach CA 92663]

Docket 7

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1), § 362(d)(2) and § 362(d)(4) with 4001(a)(3) waiver and extraordinary relief as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will be held.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Vibes Hot Yoga LLC

Represented By
James D. Hornbuckle

Trustee(s):

Karen S Naylor (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Thursday, June 13, 2019

Hearing Room 5C

11:00 AM

8:14-15750 ISC8 Inc.

Chapter 11

#12.00

CONT'D POST-CONFIRMATION STATUS CONFERENCE Hearing RE: (1)
Case Management Conference And (2) Requiring Status Report
(Petition filed 9/23/14)
(Post-Confirmation S/C set at S/C held 9-3-15)

FR: 11-20-14; 12-11-14; 1-29-14; 2-5-15; 2-11-14; 2-19-15; 5-21-15; 7-2-15;
7-23-15; 9-3-15; 3-17-16; 3-31-16; 9-29-16; 3-9-17; 10-12-17; 10-19-17; 4-19-18;
5-3-18; 11-29-18

Docket 1

*** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
FINAL DECREE ENTERED 5-10-19 (Docket No. [535])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

ISC8 Inc.

Represented By
Robyn B Sokol
Susan K Seflin
David Seror
Jessica L Bagdanov

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#13.00

CONT'D Hearing RE: Seventh Omnibus Motion For Order Disallowing Claims:
(Motion filed 3/1/19)

Claim No. 38	James Hernandez	\$113,341.00
Claim No. 59	James Hernandez	\$1,000,000.00
FR: 4-18-19		

Docket 578

Tentative Ruling:

Tentative for 6/13/19 is to GRANT.

The Court continued this hearing to permit Debtor to supply supplemental evidence in support of its claim objection. The Court has received and reviewed the Declaration of Thomas H. Casey filed on June 5, 2019 [Dk. 716], and will GRANT the Motion.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required as the Court has determined that the matter can be determined without a hearing. No hearing will occur.

Movant to lodge an order within seven (7) days.

Tentative for 4/18/19 is to CONTINUE to June 13, 2019, at 11:00 a.m., to allow Movant to submit supplemental evidence.

The only evidence in support of this claim objection is the declaration of Mirco J. Haag, which provides at ¶4:

At my direction, a member of my staff communicated and worked

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room

5C

11:00 AM

CONT...

California Hispanic Commission on Drug and Alcohol

Chapter 11

with Debtor's counsel to determine the validity and extent of all of the claims at issue in this case. It is my understanding that the claims by Mr. Hernandez were discussed, in an effort to better understand objectionable claims. Neither Debtor nor Debtor's counsel provided support for Mr. Hernandez's claims.

This is insufficient.

Appearances for the 4/18/19 hearing are excused.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By

Michael R Totaro

Linda F Cantor ESQ

Victoria Newmark

Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room

5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#14.00

CONT'D Hearing RE: Motion Of The Litigation Trustee For Order Disallowing Filed Claim 2-2 Of Orange County Tax Collector As Not An Obligation Of The Debtor (Motion filed 2/28/19)

Claim No. 2-2Orange County Tax Collector \$13,224.78

FR: 4-18-19

Docket 568

Tentative Ruling:

Tentative for 6/13/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required as the Court has determined that the matter can be determined without a hearing. No hearing will occur.

Movant to lodge an order within seven (7) days.

Tentative for 4/18/19 is to CONTINUE to June 13, 2019, at 11:00 a.m., to allow Movant to effect proper service on claimant.

LBR 3007-1(b)(2) requires service "on the claimant at the address disclosed by the claimant in its proof of claim *and* such other addresses and upon such parties as may be required by FRBP 7004 and other applicable rules." (emphasis added). FRBP 7004(b)(3) requires that a corporation, partnership or other unincorporated association be served "to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment of law to receive service of process." FRBP 7004(b)(6) requires that a "state or municipal corporation or other governmental organization thereof" must be served "to the person or office upon whom process is prescribed to be served by the law of the state in which service is made." Where the address listed on the proof of claim

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol Chapter 11

differs from or does not comply with FRBP 7004, as stated on the Court's website, this Court requires the claim objection to be served on both addresses.

It appears that Claimant was not served with either the Notice or Objection in accordance with FRBP 7004. Movant must properly serve claimant with the Objection and notice of the Objection and continued hearing date in accordance with LBR 3007-1(b), and file the appropriate notice and/or proof of service.

Appearances are excused for 4/18/19.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#15.00

Hearing RE: Application By Chapter 11 Trustee To Employ Channel Marketing Resources, Inc. As Financial Advisor
(Motion filed 4/23/19)

Docket 165

***** VACATED *** REASON: OFF CALENDAR - AMENDED NOTICE
OF APPLICATION BY CHAPTER 11 TRUSTEE - (DOCKET NO. [177])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

Trustee(s):

Howard B Grobstein (TR)

Represented By
David Wood
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#16.00

Hearing RE: Debtor's Second Application For Order Authorizing Employment Of Channel Marketing Resources, Inc. As Financial Advisor (Motion filed 4/23/19)

Docket 168

***** VACATED *** REASON: OFF CALENDAR - AMENDED NOTICE OF DEBTOR'S SECOND APPLICATION - (DOCKET NO. [178])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

Trustee(s):

Howard B Grobstein (TR)

Represented By
David Wood
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#17.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 11/5/18)

FR: 12-20-18; 1-24-19; 2-7-19; 3-5-19; 3-7-19

Docket 1

Tentative Ruling:

Tentative for 6/13/19 is to set a continued status conference date of September 19, 2019 at 11:00 a.m. with a status report due 14 days in advance.

Appearances are excused. No hearing will occur.

Tentative for 3/07/19 is to set a continued status conference date of June 27, 2019 at 11:00 a.m. with a status report due 14 days in advance.

Appearances required.

Tentative for 2/07/19 is to set a continued status conference on April 18, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Debtor is also instructed to lodge a scheduling order setting forth the dates and deadlines established at the 1/24/19 status conference.

Tentative for 1/24/19 is to set the following dates/deadlines:

1. Deadline for filing a plan and disclosure statement: March 5, 2019. See Status Report filed 12/6/18 [Dk. 60], pg. 9:15-18. Note: the failure to timely file a plan and disclosure statement may result in the conversion or dismissal of the

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

11:00 AM

CONT... **Kendall Frozen Fruits, Inc.**
case.

Chapter 11

2. Claims Bar Date: March 29, 2019 with notice to be served by January 28, 2019.

3. Continued status conference: April 18, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Tentative for 12/20/18:

The Court has received and reviewed the status report filed on December 6, 2018 [Dk. 60]. The Status Conference is CONTINUED to January 24, 2019 at 11:00 a.m. Debtor is to submit a supplemental status report, updating the report submitted for the December 20, 2018 status conference, by no later than 14 days in advance of the January 24, 2019 hearing.

Appearances are excused.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

11:00 AM

8:18-14277 Progressive Solutions, Inc.

Chapter 11

#18.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 11/21/18)

FR: 1-10-19

Docket 1

Tentative Ruling:

Tentative for 6/13/19:

The Court has received and reviewed the status report filed on May 30, 2019 [Dk. 49], and will CONTINUE this matter to July 18, 2019, at 11:00 a.m. to coincide with the hearing on the disclosure statement.

Appearances are excused. No hearing will occur.

Tentative for 1/10/19 is to set the following dates/deadlines:

1. May 20, 2019: Last date to file a plan and disclosure statement.
2. March 15, 2019: Last date to file claims ("Claims Bar Date").
3. January 14, 2019: Last date for Debtor to serve notice of the Claims Bar Date.
4. April 15, 2019: Last date to file objections to claim.
5. April 15, 2019: Last date to file avoidance actions.

The Debtor is specifically advised that the failure to timely file a plan or disclosure statement may result dismissal or conversion.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

11:00 AM

CONT... Progressive Solutions, Inc.

Chapter 11

Appearances required.

Party Information

Debtor(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 13, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#19.00

STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report
(Petition filed 4/15/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO JUNE 27, 2019 AT 11:00
A.M. PER ORDER ENTERED 5-24-19 (Docket No. [188])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

10:00 AM

6:18-18793 Oscar Sanchez

Chapter 7

#1.00

Ghidotti Berger LLP - movant attorney

Motion for Relief from Stay

U.S. Bank Trust N.A. vs. DEBTOR
(Motion filed 5/14/18)

RE: 10450 Balsa Street, Rancho Cucamonga, CA 91730

EH _____

(Tele. appr. Kristin Zilberstein, rep. creditor, US Bank Trust)

Docket 65

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(4) with 4001(a)(3) waiver.

The Court notes the Limited Opposition filed by Debtor on June 4, 2019 [Dk. 69] in which Debtor testifies that he does not have, nor has he ever had, an interest in the subject property.

Appearances are excused. Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Oscar Sanchez

Represented By
Douglas A Plazak

Movant(s):

U.S. Bank Trust N.A.

Represented By
Kristin A Zilberstein

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

10:00 AM

CONT... Oscar Sanchez

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

10:00 AM

6:18-19174 Cecil Jerry Edens, Jr

Chapter 7

#2.00

Barrett Daffin Frappier Treder & Weiss, LLP - movant attorney

Motion for Relief from Stay

The Bank of New York Mellon vs. DEBTOR
(Motion filed 12/10/18)
(Cont. from 4/16/19)

Re: 45251 Saint Tisbury Street, Temecula, CA 92592

EH_____

(Tele. appr. Darlene Vigil, rep. creditor, The Bank of New York Mellon)

Docket 29

*** VACATED *** REASON: Cont. to 9/17/19 @ 10:00 am

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cecil Jerry Edens Jr

Represented By
Joseph A West

Movant(s):

The Bank of New York Mellon,

Represented By
Darlene C Vigil

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

10:00 AM

6:19-12900 John Howard Slater and Selene Novelo

Chapter 7

#3.00

L/O Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTORS
(Motion filed 5/22/19)

RE: 2018 Toyota C-HR

EH ____

(Tele. appr. Austin P. Nagel, rep. creditor, Toyota)

Docket 13

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

John Howard Slater

Represented By
Brian J Soo-Hoo

Joint Debtor(s):

Selene Novelo

Represented By
Brian J Soo-Hoo

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

10:00 AM

CONT... John Howard Slater and Selene Novelo

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

10:00 AM

6:19-14247 Ericka Monique Scott and Charles Christopher Ken Scott

Chapter 7

#4.00

Kimball, Tirey & St. John LLP - movant attorney

Motion for Relief from Stay

29605 Solana Way, LLC vs. DEBTORS
(Motion filed 5/30/19)

Re: 29605 Solana Wy. #K-2, Temecula, CA 92591

EH_____

Docket 15

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ericka Monique Scott

Represented By
Eugene A Ahtirski

Joint Debtor(s):

Charles Christopher Ken Scott

Represented By
Eugene A Ahtirski

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

10:00 AM

CONT... Ericka Monique Scott and Charles Christopher Ken Scott

Chapter 7

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

10:00 AM

6:19-14966 ASR Powder Coatings, LLC

Chapter 7

#4.10

Idin Kashefipour, Esq.- movant attorney

Motion for Relief from Stay

Metroll, Inc. vs. DEBTOR
(Motion filed 6/12/19)

Re: 15435 Arrow Route, Building B, Fontana, CA 92335

EH_____

(Advanced from 7/16/19 calendar)

(Tele. appr. Idin Kashefipour, rep. creditor, Metroll, Inc.)

Docket 10

Tentative Ruling:

Tentative for 6/25/19 is to CONTINUE to July 16, 2019 at 10:00 a.m. to allow Movant to effectuate proper service. Debtor was not served with the motion, as required by LBR 4001-1(c)(1)(C)(i).

Once service is corrected, the Court is inclined to grant pursuant to § 362(d) (1) but deny the request for extraordinary relief as Movant has not demonstrated that such relief is warranted.

Appearances required.

Party Information

Debtor(s):

ASR Powder Coatings, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

10:00 AM

CONT... ASR Powder Coatings, LLC

Chapter 7

Keith Q Nguyen

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

11:00 AM

6:13-21795 Ronald Andre Brown and Tarina Shauane Brown

Chapter 7

#5.00

Hrg. on Debtors' Motion filed 5/31/19 to Reopen Chapter 7 Case

EH_____

Docket 23

***** VACATED *** REASON: ORDER ENTERED 6/12/19**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ronald Andre Brown

Represented By
Brian J Soo-Hoo

Joint Debtor(s):

Tarina Shauane Brown

Represented By
Brian J Soo-Hoo

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

11:00 AM

6:17-14126 Lisa Ledezma

Chapter 7

#6.00

Hrg. on Trustee's Final Report; Application for Compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 6/25/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Lisa Ledezma

Represented By
Paul Y Lee

Trustee(s):

John P Pringle (TR)

Represented By
Caroline Djang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

11:00 AM

6:17-19729 Mark Wolodymyr Perekrest

Chapter 7

#7.00

Hrg. on Trustee's Final Report; Application for Compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 6/25/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Mark Wolodymyr Perekrest

Represented By
Robert L Firth

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

11:00 AM

6:18-10525 Francis A Pignone and Maria Haydee Pignone

Chapter 7

#8.00

Hrg. on Approval of Trustee's Final Report and Applications for Compensation

(Hearing includes (1) Application for Compensation First and Final Fee Application of Goe & Forsythe, LLP; Period: 3/12/2018 to 3/26/2019, Fees: \$40,491.50; expenses \$659.06 and (2) the Final Fee Application for Karl T. Anderson; Fee: \$3,887.50; Expenses: \$432.39; Period: 8/29/2018 to 12/28/2018)

EH_____

Docket 0

Tentative Ruling:

Tentative for 6/25/19 is to APPROVE as follows:

The Court has reviewed the Trustee's Final Report, including the fee applications of Karl T. Anderson and Goe & Forsythe, and all pleadings related thereto and the evidence contained therein.

The Court overrules all objections to the Application of Goe & Forsythe and will approve as modified by the Stipulation with the United States Trustee. The Court also approves the final report, including the fee application of Karl T. Anderson, as requested.

Appearances required.

Party Information

Debtor(s):

Francis A Pignone

Represented By
David A Akintimoye

Joint Debtor(s):

Maria Haydee Pignone

Represented By
David A Akintimoye

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

11:00 AM

CONT... Francis A Pignone and Maria Haydee Pignone

Chapter 7

Trustee(s):

Steven M Speier (TR)

Represented By
Robert P Goe

United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar

Tuesday, June 25, 2019

Hearing Room 126

11:00 AM

6:18-10525 Francis A Pignone and Maria Haydee Pignone

Chapter 7

#9.00

Hrg. on Application for Compensation First And Final Fee Application Of Goe & Forsythe, LLP; Period: 3/12/2018 to 3/26/2019, Fee: \$40,491.50, Expenses: \$659.06

EH _____

Docket 124

*** VACATED *** REASON: Notice of Withdrawal (doc. 133) filed on 5/24/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Francis A Pignone

Represented By
David A Akintimoye

Joint Debtor(s):

Maria Haydee Pignone

Represented By
David A Akintimoye

Trustee(s):

Steven M Speier (TR)

Represented By
Robert P Goe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

11:00 AM

6:18-10782 Lesa Dianne Beeler

Chapter 7

#10.00

Hrg. on chapter 7 trustee's Motion filed 1/31/19 Objecting To Debtors Claim Of Exemption In Lockheed Martin Stock Pursuant To CCP § 704.115

EH_____

(Cont. from 3/5/19)

Docket 26

***** VACATED *** REASON: Withdrawal of Motion Objecting to Claim
filed 6/18/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lesla Dianne Beeler

Represented By
Linda Roberts-Ross

Trustee(s):

Karl T Anderson (TR)

Represented By
Robert P Goe
Thomas J Eastmond

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#11.00

Hrg on City of San Bernardino's Objection to Claims of Altheia Taylor
(Proofs of Claims 144, 154, 231, and 410 Through 418)

EH ____

Docket 2832

Tentative Ruling:

Tentative for 6/25/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#12.00

Hrg on Twentieth Omnibus Objection to Claim by Claimant Gilbert Aguilar, Rosa House, Eleuterio Navarro, Monica Rodriguez (Proof of Claim No. 149), Verizon / Notice of Twentieth Omnibus Objection and City of San Bernardino's Twentieth Omnibus Objection to Claims Where (1) the City Has No Liability or (2) Claimant Failed to Comply with the ADR Procedures

Docket 2835

Tentative Ruling:

Tentative for 6/25/19 is to GRANT.

With respect to Claimants Gilbert Aguilar, Eleuterio Navarro, Monica Rodriguez and Verizon, no opposition was filed. The Motion is granted with respect to these Claimants.

With respect to Claimant Rosa House, the Court has reviewed the Opposition filed by Ms. House on 6/12/19 [Dk. 2849], the City's Reply filed 6/18/19 [Dk. 2855] and the declaration in support of the Reply [Dk. 2856], as well as all other related pleadings. The Court finds the Reply well-taken and will overrule the Opposition. As conceded by Ms. House, the matter settled, and she signed a short-form agreement. Ms. House thereafter refused to comply with the remainder of the applicable ADR procedures, failure of which constitutes a breach and subjects her claim to disallowance. The Motion is granted with respect to Ms. House's claim.

Appearances required.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

1:30 PM

6:19-13708 SIF Services, LLC

Chapter 11

#13.00

Hrg. on Chapter 11 Status Conference

EH_____

(Tele. appr. Adam Lewis, rep. creditor, United Parcel Service)

(Tele. appr. Michael Lubic, rep. creditor, Prologis LP)

Docket 0

Tentative Ruling:

Tentative for 6/25/19:

The Court will set dates/deadlines and is inclined to substantially adopt those proposed by Debtor in the status report filed June 6, 2019 [Dk. 73], as follows:

1. Deadline to file a Plan and Disclosure Statement: October 31, 2019. The failure to timely file a plan and disclosure statement may result in the dismissal or conversion of the case.
2. Claims Bar Date: September 1, 2019, with notice to be served by no later than June 30, 2019.
3. Deadline to File Objections to Claims: October 31, 2019
4. Continued Status Conference: November 19, 2019 at 1:30 p.m.

Debtor is to submit a scheduling order within seven days.

Appearances required.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

1:30 PM

CONT... SIF Services, LLC

Chapter 11

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

1:30 PM

6:19-13708 SIF Services, LLC

Chapter 11

#14.00

Hrg. on Debtor's Second Motion for Authority to Enter Into Critical Vendor Agreements with: 1. Double Chain, Inc.; 2. SLS Freight LLC; and 3. Ke Xin, Inc., dba Wakool Transport

EH_____

(Tele. appr. Adam Lewis, rep. creditor, United Parcel Service)

(Tele. appr. Michael Lubic, rep. creditor, Prologis LP)

Docket 59

Tentative Ruling:

Tentative for 6/25/19:

Please be prepared to discuss actual monetary savings (actual amount of dollar savings, not percentages) over the next 3 to 6 months that will be obtained by authorizing prepetition payments to the critical vendors.

Appearances required.

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox
W. Sloan Youkstetter

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, June 25, 2019

Hearing Room 126

1:30 PM

6:19-13708 SIF Services, LLC

Chapter 11

#15.00

Hrg. on Debtors' Motion filed 6/4/19 to Modify Office of U.S. Trustee Guidelines Regarding Bank Accounts

EH_____

(Tele. appr. Adam Lewis, rep. creditor, United Parcel Service)

(Tele. appr. Michael Lubic, rep. creditor, Prologis LP)

Docket 63

Tentative Ruling:

Tentative for 6/25/19 is to DENY.

The Court does not find the Debtor's arguments compelling with respect to the Motion to Modify Office of Trustee Guidelines Regarding Bank Accounts (sic.). The U.S. Trustee has provided significant explanations as to why the Debtor's Motion does not conform with the objectives of the Office of the U.S. Trustee to protect estate assets during a Chapter 11 Case.

Appearances required.

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox
W. Sloan Youkstetter
Janis G Abrams

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 26, 2019

Hearing Room 126

1:30 PM

6:15-20279 Mohammad Far

Chapter 7

Adv#: 6:16-01018 O'Laverty et al v. Far et al

#15.00

STATUS CONFERENCE re Complaint by Ames Todd O'Laverty, Cheri O'Laverty, Merilee Sousa against Mohammad Far, Ruth Ann Far (523(a)(2), false pretenses, false representation, actual fraud, 523(a)(4), fraud as fiduciary, embezzlement, larceny, 523(a)(6), willful and malicious injury)

(Cont. from 3/6/19)

EH _____

Docket 1

Tentative Ruling:

Tentative for 6/26/19:

This matter is CONTINUED to August 14, 2019 at 1:30 p.m. A status report (whether joint or unilateral) is due 14 days in advance. Note: If Defendants have not sought a further appeal by this time, the Court will move forward with this case and expects the Parties to fully participate in the preparation of a meaningful joint status report.

Appearances are excused.

Tentative for 10/24/18:

This matter is CONTINUED to March 6, 2019 at 1:30 p.m. A status report (whether joint or unilateral) is due 14 days in advance.

Appearances are excused.

Tentative for 5/30/18:

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 26, 2019

Hearing Room 126

1:30 PM

CONT... Mohammad Far

Chapter 7

The Court has received and reviewed the status report filed by Debtors on 5/10/18 [Dk. 45] and will CONTINUE this matter to 10/17/18 at 1:30 p.m. A status report (whether joint or unilateral) is due **14 days in advance**. Future failure to timely file status reports may result in sanctions.

Appearances are excused.

Tentative for 11/15/17:

This matter is CONTINUED to March 14, 2018 at 1:30 p.m. A status report (whether joint or unilateral) is due **14 days in advance**. Future failure to timely file status reports may result in sanctions.

Appearances are excused.

Tentative for 8/16/17:

The Court has received and reviewed the status report filed late on August 11, 2017 [Dk. 37]. This status conference is CONTINUED to November 15, 2017 at 1:30 p.m. A status report (whether joint or unilateral) is due **14 days in advance**. Future failure to timely file status reports may result in sanctions.

Appearances are excused.

Tentative for 5/10/17:

The Court has reviewed the Status Report filed 5/2/17 [Dk. 34] and notes that it indicates the appeal has been filed and is pending. The Court will CONTINUE the status conference to August 16, 2017 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 26, 2019

Hearing Room 126

1:30 PM

CONT... **Mohammad Far**

Chapter 7

Tentative for 3/15/17:

Appearances required. The parties should be prepared to discuss (1) the impact of the pending appeal on the motion for summary judgment presently calendared for 5/3/17; and (2) new dates for the pre-trial conference and motion for summary judgment, if warranted.

Party Information

Debtor(s):

Mohammad Far

Represented By
Stephen H Darrow

Defendant(s):

Mohammad Far

Represented By
Stephen H Darrow

Ruth Ann Far

Represented By
Stephen H Darrow

Joint Debtor(s):

Ruth Ann Far

Represented By
Stephen H Darrow

Plaintiff(s):

Ames Todd O'Laverty

Represented By
Ian Landsberg

Cheri O'Laverty

Represented By
Ian Landsberg

Merilee Sousa

Represented By
Ian Landsberg

Trustee(s):

Larry D Simons (TR)

Represented By
Howard M Ehrenberg
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 26, 2019

Hearing Room 126

1:30 PM

CONT...

Mohammad Far

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 26, 2019

Hearing Room 126

1:30 PM

6:18-16626 Judy Zhuang

Chapter 7

Adv#: 6:18-01217 Liao v. Zhuang

#16.00

PRE-TRIAL CONFERENCE re Complaint to determine non-dischargeability of debt; (1) False Pretenses, False Representations, or Actual Fraud; (2) Willful and Malicious Injury and (3) Non-Dischargeability of Debt

EH ____

Docket 1

***** VACATED *** REASON: Cont. to 10/2/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Judy Zhuang

Represented By
Todd L Turoci

Defendant(s):

Judy Zhuang

Pro Se

Plaintiff(s):

Chih Ling Liao

Represented By
Sam X J Wu

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 26, 2019

Hearing Room 126

1:30 PM

6:18-18354 Luis Manuel Jimenez

Chapter 7

Adv#: 6:19-01045 Daff, Chapter 7 Trustee v. Jimenez

#17.00

STATUS CONFERENCE re: Complaint by Charles W. Daff, Chapter 7 Trustee
against Rocio Jimenez - 542 turnover of property

(Cont. from 5/15/19)

EH _____

Docket 1

***** VACATED *** REASON: CONTINUED TO 9/18/19 AT 1:30 P.M.
PER ORDER CONTINUING STATUS CONFERENCE ENTERED 5/24/19**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luis Manuel Jimenez

Represented By
Brian J Soo-Hoo

Defendant(s):

Rocio Jimenez

Pro Se

Plaintiff(s):

Charles W. Daff, Chapter 7 Trustee

Represented By
Brandon J Iskander

Trustee(s):

Charles W Daff (TR)

Represented By
Brandon J Iskander
Lynda T Bui

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 26, 2019

Hearing Room 126

1:30 PM

6:19-10538 Raymond Richard Quinto,, Jr.

Chapter 7

Adv#: 6:19-01065 Speier, Chapter 7 Trustee v. Pont et al

#18.00

STATUS CONFERENCE re: Complaint by Steven M Speier, Chapter 7 Trustee against Jeffrey Pont, Shantal Pont for: (1) Avoidance and Recovery of Fraudulent Transfers Pursuant to §§ 544, 548, 550 and CA Civ. Code §§ 3439.04, 3439.07; and (2) Preservation of Avoided and Recovered Transfers Pursuant to § 551.

Docket 1

Tentative Ruling:

Tentative for 6/26/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: November 15, 2019. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: January 15, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: February 19, 2020 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Raymond Richard Quinto, Jr.

Represented By
John D Faucher

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 26, 2019

Hearing Room 126

1:30 PM

CONT... Raymond Richard Quinto,, Jr.

Chapter 7

Defendant(s):

Jeffrey Pont

Pro Se

Shantal Pont

Pro Se

Plaintiff(s):

Steven M Speier, Chapter 7 Trustee

Represented By
Robert P Goe
Ryan S Riddles

Trustee(s):

Steven M Speier (TR)

Represented By
Robert P Goe
Elizabeth A LaRocque

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, June 26, 2019

Hearing Room 126

1:30 PM

6:18-10058 Lisa M Garcia

Chapter 7

Adv#: 6:18-01065 Fawzy v. Garcia

#19.00

Hrg. on Plaintiff's Motion in Limine to Exclude Evidence Not Admitted During
The 2009 Trial (CV-2007-2123)

EH ____

Docket 40

Tentative Ruling:

Tentative for 6/26/19 is to DENY. All objections to evidence are preserved.
The Court will rule on the merits of each objection as they arise at trial.

Appearances required.

Party Information

Debtor(s):

Lisa M Garcia

Represented By
Stephen R Wade
David N LeGrande

Defendant(s):

Lisa M. Garcia

Represented By
Stephen R Wade

Plaintiff(s):

Sameh Fawzy

Represented By
Christopher O Rivas

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01048 Marshack v. Queen Funding LLC

#1.00

STATUS CONFERENCE Hearing RE: Complaint For:

- (1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
- (2) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
- (3) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
- (4) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
- (5) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
- (6) Predatory Lending Pursuant To California Business And Professions Code Section 17200;
- (7) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
- (8) Declaratory Relief
(Complaint filed 3/20/19)

Docket 1

Tentative Ruling:

Tentative for 6/26/19:

This matter is CONTINUED to September 18, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Queen Funding LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01049 Marshack v. Richmond Capital Group

#2.00

STATUS CONFERENCE Hearing RE: Complaint For:

- (1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
- (2) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
- (3) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
- (4) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
- (5) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
- (6) Predatory Lending Pursuant To California Business And Professions Code Section 17200;
- (7) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
- (8) Declaratory Relief
(Complaint filed 3/20/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO AUGUST 7, 2019 AT
11:00 A.M. PER ORDER APPROVING STIPULATION ENTERED 4-25-19
- (DOCKET NO. [8])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Richmond Capital Group

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01050 Marshack v. Yellowstone Capital West, LLC

#3.00

STATUS CONFERENCE Hearing RE: Complaint For:

- (1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
- (2) Avoidance Of Post-Petition Transfers Pursuant To 11 U.S.C. Section 549(a);
- (3) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
- (4) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
- (5) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
- (6) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
- (7) Predatory Lending Pursuant To California Business And Professions Code Section 17200;
- (8) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
- (9) Declaratory Relief
(Complaint filed 3/20/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO AUGUST 7, 2019 AT
11:00 A.M. PER ORDER APPROVING STIPULATION ENTERED 4-22-19
- (DOCKET NO. [8])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Yellowstone Capital West, LLC

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By

D Edward Hays

David Wood

Kyra E Andrassy

Jeffrey I Golden

Beth Gaschen

Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01051 Marshack v. Yes Funding Services LLC

#4.00

STATUS CONFERENCE Hearing RE: Complaint For:

- (1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
- (2) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
- (3) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
- (4) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
- (5) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
- (6) Predatory Lending Pursuant To California Business And Professions Code Section 17200;
- (7) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
- (8) Declaratory Relief
(Complaint filed 3/20/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO AUGUST 7, 2019 AT
11:00 A.M. PER ORDER APPROVING STIPULATION ENTERED 4-22-19
(DOCKET NO. [8])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Yes Funding Services LLC

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

8:18-13531 Michael David Murphy

Chapter 7

Adv#: 8:19-01005 JBP Services, P.C., a California Corporation et al v. Murphy

#5.00

CONT'D STATUS CONFERENCE Hearing RE: Adversary Complaint For Determination That Debt Is Non-Dischargeable Pursuant To 11 U.S.C. Sections 523(a)(2)(A), (2)(B), And (19)
(Complaint filed 1/6/19)

FR: 4-3-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER FINDING
DEBT NONDISCHARGEABLE PURSUANT TO 11 U.S.C. 523(a)(2)(A)
ENTERED 5-10-19 - (DOCKET NO. [15])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael David Murphy

Represented By
Daniel King

Defendant(s):

Michael David Murphy

Pro Se

Joint Debtor(s):

Jennifer Lee Murphy

Represented By
Daniel King

Plaintiff(s):

JBP Services, P.C., a California

Represented By
Christian S Molnar

James B. Pickell

Represented By
Christian S Molnar

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

CONT... Michael David Murphy

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

8:18-13532 Tiphonie Jennifere Jordan

Chapter 7

Adv#: 8:19-01007 WJA Asset Management LLC et al v. Jordan et al

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Deny Community Property Discharge Under 11 U.S.C. Section 524(a)(3)
(Complaint filed 1/7/19)
(Another Summons issued 3-28-19)

FR: 4-3-19

Docket 1

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 18, 2019
AT 10:00 A.M. PER ORDER APPROVING STIPULATION ENTERED 4-23
-19 - (DOCKET NO. [11])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tiphonie Jennifere Jordan

Represented By
Leonard M Shulman

Defendant(s):

William M Jordan

Pro Se

Tiphonie Jennifere Jordan

Pro Se

Plaintiff(s):

Secure California Income Fund LLC

Represented By
Kyra E Andrassy

California Indexed Growth Fund

Represented By
Kyra E Andrassy

CA Real Estate Opportunity Fund II

Represented By
Kyra E Andrassy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

CONT... Tiphanie Jennifere Jordan Chapter 7

CA Real Estate Opportunity Fund I	Represented By Kyra E Andrassy
William Jordan Investments Inc	Represented By Kyra E Andrassy
WJA Secure Income Fund LLC	Represented By Kyra E Andrassy
WJA Secure Real Estate Fund LLC	Represented By Kyra E Andrassy
WJA Real Estate Opportunity Fund	Represented By Kyra E Andrassy
WJA Real Estate Opportunity Fund I	Represented By Kyra E Andrassy
WJA Express Fund LLC	Represented By Kyra E Andrassy
Whirl Fund LLC	Represented By Kyra E Andrassy
Urban Produce Fund LLC	Represented By Kyra E Andrassy
TD Opportunity Fund LLC	Represented By Kyra E Andrassy
CA Real Estate Opportunity Fund III	Represented By Kyra E Andrassy
Prosper Managed Fund LLC	Represented By Kyra E Andrassy
PMB Managed Fund LLC	Represented By Kyra E Andrassy
Luxury Asset Purchasing	Represented By Kyra E Andrassy
Equity Indexed Managed Fund LLC	Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

CONT... Tiphonie Jennifere Jordan

Chapter 7

	Kyra E Andrassy
Clairton Residential Renewal LLC	Represented By Kyra E Andrassy
CA Whirl Fund LLC	Represented By Kyra E Andrassy
CA See Jane Go Fund LLC	Represented By Kyra E Andrassy
CA Express Fund LLC	Represented By Kyra E Andrassy
Alabama Housing Fund LLC	Represented By Kyra E Andrassy
5827 Winland Hills Drive	Represented By Kyra E Andrassy
WJA Asset Management LLC	Represented By Kyra E Andrassy
TD REO Fund LLC	Represented By Kyra E Andrassy

Trustee(s):

Richard A Marshack (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#6.10

ADVANCED Hearing RE: Chapter 11 Trustee's Motion For Order: Authorizing Sale Of Certain Customer Accounts; (A) Outside the Ordinary Course Of Business; (B) Free And Clear Of Interests; (C) Subject To Overbids (Motion filed 6/3/19)

FR: 6-27-19

Docket 191

Tentative Ruling:

Tentative for 6/26/19 is to GRANT.

Trustee is to conduct an auction.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

Trustee(s):

Howard B Grobstein (TR)

Represented By
David Wood
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

10:00 AM

8:19-11578 Alexander Farzin Saad

Chapter 7

#6.20

CONT'D Motion for relief from stay [Personal Property]

Fifth Third Bank vs. DEBTOR
(Motion filed 5/30/19)

[RE: 2013 Hyundai Tucson]

FR: Advanced from 6-27-19

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver. The request for relief pursuant to 11 U.S.C. § 362(d)(2) is denied as Movant has provided no evidence regarding equity.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Alexander Farzin Saad

Represented By
Alan A Pace

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

11:00 AM

8:13-12153 DRI Companies

Chapter 7

#7.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses:
(Final Report filed 5/16/19)

**[RE: RICHARD A. MARSHACK, Chapter 7 Trustee]
[Fees: \$32,197.76; Expenses: \$625.28]**

**[RE: MARSHACK HAYS LLP - Attorneys For Chapter 7 Trustee]
[Fees: \$497,442.50; Expenses: \$34,696.42]**

**[RE: SMILEY WANG-EKVALL LLP - Attorney For Chapter 7 Trustee]
[Fees: \$6,160.35; Expenses: \$0.00]**

**[RE: SHULMAN HODGES & BASTIAN LLP - Attorneys For Chapter 7 Trustee]
[Fees: \$11,054.84; Expenses: \$1,291.29]**

**[RE: GROBSTEIN TEEPLE LLP - Accountants For Chapter 7 Trustee]
[Fees: \$41,366.17; Expenses: \$441.69]**

**[RE: BICHER & ASSOCIATES - Chapter 7 Trustee's Field Agent]
[Fees: \$9,595.49; Expenses: \$1,243.63]**

- APPLICATIONS FOR CHAPTER 11 FEES -

**[RE: BLAKELEY LLP - Attorneys For Official Committee Of Unsecured Creditors]
[Fees: \$123,190.99; Expenses: \$0.00]**

**[RE: RINGSTAD & SANDERS LLP - Attorneys For Chapter 11 Debtors]
[Fees: \$275,902.32; Expenses: \$1,183.98]**

**[RE: BSW & ASSOCIATES - Financial Advisors For Chapter 11 Debtors]
[Fees: \$2,532.50; Expenses: \$0.00]**

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

11:00 AM

CONT... DRI Companies

Chapter 7

Docket 1302

Tentative Ruling:

Tentative for 6/26/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

DRI Companies

Represented By
Todd C. Ringstad
Christopher Minier
Brian R Nelson

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
Chad V Haes
Kyra E Andrassy
Judith E Marshack
Leonard M Shulman
Melissa Davis Lowe

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Wednesday, June 26, 2019

Hearing Room 5C

11:00 AM

8:13-12154 DRI Commercial Corporation

Chapter 7

#8.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses:
(Final Report filed 5/16/19)

[RE: RICHARD A. MARSHACK, Chapter 7 Trustee]
[Fees: \$19,302.43; Expenses: \$358.16]

[RE: MARSHACK HAYS LLP - Attorneys For Chapter 7 Trustee]
[Fees: \$170,558.00; Expenses: \$2,402.98]

[RE: SHULMAN HODGES & BASTIAN LLP - Attorneys For Chapter 7 Trustee]
[Fees: \$6,846.31; Expenses: \$0.00]

[RE: SMILEY WANG-EKVALL LLP - Attorneys For Chapter 7 Trustee]
[Fees: \$3,416.10; Expenses: \$0.00]

[RE: GROBSTEIN TEEPLE LLP - Accountants For Chapter 7 Trustee]
[Fees: \$31,698.00; Expenses: \$441.69]

[RE: BICHER & ASSOCIATES - Chapter 7 Trustee's Field Agent]
[Fees: \$52,511.53; Expenses: \$0.00]

- APPLICATIONS FOR CHAPTER 11 FEES -

[RE: RINGSTAD & SANDERS LLP - Attorneys For Chapter 11 Debtors]
[Fees: \$275,905.32; Expenses: \$1,183.98]

[RE: LANAK & HANNA, P.C. - Attorneys For Chapter 11 Debtors]
[Fees: \$6,750.00; Expenses: \$0.00]

[RE: SULLIVAN HILL REZ & ENGEL APLC - Attorneys For Chapter 11 Debtors]
[Fees: \$7,940.00; Expenses: \$268.13]

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

11:00 AM

CONT... DRI Commercial Corporation

Chapter 7

[RE: BLAKELEY LLP - Attorneys For Official Committee Of Unsecured Creditors]

[Fees: \$123,190.99; Expenses: \$0.00]

[RE: BSW & ASSOCIATES - Financial Advisors For Chapter 11 Debtors]

[Fees: \$2,532.50; Expenses: \$0.00]

Docket 62

Tentative Ruling:

Tentative for 6/26/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

DRI Commercial Corporation

Represented By
Todd C. Ringstad

Trustee(s):

Richard A Marshack (TR)

Represented By
Chad V Haes
D Edward Hays
Shulman Hodges & Bastian LLP

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room

5C

11:00 AM

8:13-12156 DRI Residential Corporation

Chapter 7

#9.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses:
(Final Report filed 5/16/19)

**[RE: RICHARD A. MARSHACK, Chapter 7 Trustee]
[Fees: \$4,730.56; Expenses: \$70.00]**

**[RE: SHULMAN HODGES & BASTIAN LLP - Attorneys For Chapter 7 Trustee]
[Fees: \$848.85; Expenses: \$0.00]**

**[RE: SMILEY WANG-EKVALL, LLP - Attorneys For Chapter 7 Trustee]
[Fees: 423.55; Expenses: \$0.00]**

**[RE: BICHER & ASSOCIATES - Chapter 7 Trustee's Field Agent]
Fees: \$139.98; Expenses: \$0.00]**

- APPLICATIONS FOR CHAPTER 11 FEES -

**[RE: RINGSTAD & SANDERS LLP - Attorneys For Chapter 11 Debtors]
[Fees: \$275,905.32; Expenses: \$1,183.98]**

**[RE: BLAKELEY LLP - Attorneys For Official Committee Of Unsecured Creditors]
[Fees: \$123,190.99; Expenses: \$0.00]**

**[RE: BSW & ASSOCIATES - Financial Advisors For Chapter 11 Debtors]
[Fees: \$2,532.50; Expenses: \$0.00]**

Docket 47

Tentative Ruling:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

11:00 AM

CONT... DRI Residential Corporation

Chapter 7

Tentative for 6/26/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

DRI Residential Corporation

Represented By
Todd C. Ringstad
Brian R Nelson

Trustee(s):

Richard A Marshack (TR)

Represented By
Chad V Haes
D Edward Hays
Shulman Hodges & Bastian LLP

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

11:00 AM

8:15-15006 Michael Louis Hollander and Susan Waxman Hollander

Chapter 7

#10.00

Hearing RE: Motion For Order Approving Asset For Purchase, Sale And Assignment Of Certain Claims Agreement And Authorizing The Sale Of The Estate's Interest In Claims Pursuant To 11 U.S.C. Section 363(b)
(Motion filed 5/30/19)

Docket 83

Tentative Ruling:

Tentative for 6/26/19:

The Court has reviewed the Chapter 7 Trustee's Motion filed on 5/30/2019 [Dk. 83], Bank of America's Opposition filed on 6/12/19 [Dk. 87], and the Trustee's reply filed on 6/19/19 [Dk. 88]. The Court has discretion to approve a Motion for Sale without overbidding so long as it is convinced that "optimal value is realized by the estate under the circumstances." *In re Lahijani*, 325 B.R. 282, 288 (B.A.P. 9th Cir. 2005). "The position of the trustee is afforded deference, particularly where business judgment is entailed in the analysis." *Id.* at 289. The Trustee has represented that this sale is in the best interest of the estate, allowing "the Estate the opportunity to benefit from the Assigned Claims, while not being forced to litigate the claims in state court." (Marshack Decl. 4). Bank of America has not convinced this Court that approval of this Sale without overbids will prevent the estate from realizing its most optimal benefit, such that it should question the Trustee's business judgment. The Bankruptcy Court is not authorized or inclined to take actions designed to limit Bank of America's exposure to any litigation. That mission is not in the purview of the Court's mission. Accordingly, the Court is inclined to overrule Bank of America's objection and approve the Trustee's Motion for Sale.

Appearances required.

Party Information

Debtor(s):

Michael Louis Hollander

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

11:00 AM

CONT...

Michael Louis Hollander and Susan Waxman Hollander

Chapter 7

Joseph M Tosti

W. Sloan Youkstetter

Joint Debtor(s):

Susan Waxman Hollander

Represented By

Joseph M Tosti

W. Sloan Youkstetter

Trustee(s):

Richard A Marshack (TR)

Represented By

David M Goodrich

Dennise S Henderson

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

11:00 AM

8:16-10738 PCA Aerostructures Company

Chapter 7

#11.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses:
(Final Report filed 5/22/19)

**[RE: JEFFREY I. GOLDEN - Chapter 7 Trustee]
[Fees: \$11,609.05; Expenses: \$968.16]**

**[RE: LOBEL WEILAND GOLDEN FRIEDMAN LLP - Attorney for Trustee]
[Fees: \$15,375.00; Expenses: \$195.92]**

**[RE: HAHN FIFE & COMPANY LLP - Accountant For Trustee]
[Fees: \$2,688.00; Expenses: \$422.00]**

**[RE: IMS - Field Agent for Trustee]
[Fees: \$4,935.22; Expenses: \$1,931.61]**

Docket 111

Tentative Ruling:

Tentative for 6/26/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days

Party Information

Debtor(s):

PCA Aerostructures Company

Represented By
Mark S Horoupian

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

11:00 AM

CONT... PCA Aerostructures Company

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Christopher J Green
Reem J Bello
Beth Gaschen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

11:00 AM

8:16-13359 Richard A. Farino

Chapter 7

#12.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses:
(Final Report filed 5/17/19)

**[RE: RICHARD A. MARSHACK - Chapter 7 Trustee]
[Fees: \$5,752.00; Expenses: \$254.05]**

**[RE: DONALD W. SIEVEKE - Attorney For Chapter 7 Trustee]
[Fees: \$35,460.00; Expenses: \$459.13]**

**[RE: HAHN FIFE & COMPANY LLP - Accountant For Chapter 7 Trustee]
[Fees: \$1,000.00; Expenses: \$0.00]**

Docket 87

Tentative Ruling:

Tentative for 6/26/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Richard A. Farino

Represented By
Joseph A Weber

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

11:00 AM

CONT... Richard A. Farino

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, June 26, 2019

Hearing Room 5C

11:00 AM

8:16-15205 Stephen Matthew Huerth and Laura Elizabeth Huerth

Chapter 7

#13.00

Hearing RE: Motion To Stay Claim Objection Proceedings Pending District Court Decision On Motion To Withdraw Reference
(Motion filed 5/29/19)
(OST Denied 5/30/19)

Docket 60

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION TO STAY PROCEEDINGS PENDING DISTRICT COURT
DECISION ON MOTION TO WITHDRAW REFERENCE ENTERED 6-12
-19 (DOCKET NO. [71])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Stephen Matthew Huerth

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Laura Elizabeth Huerth

Represented By
Michael Jones
Sara Tidd

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael Jones
Leslie K Kaufman

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Wednesday, June 26, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#14.00

CONT'D Hearing RE: First Interim Application For Allowance Of Fees And Reimbursement Of Expenses For The Period From December 4, 2018 Through March 9, 2019
(Application filed 3/11/19)

**[RE: CHRISTIANSEN LAW OFFICES, PC - General Bankruptcy Counsel For Debtor And Debtor-In-Possession]
[Fees: \$63,945.00; Expenses: \$3,401.96]**

FR: 4-4-19; 5-1-19

Docket 110

***** VACATED *** REASON: OFF CALENDAR - ORDER DENYING WITH PREJUDICE APPLICATION OF PAYMENT OF INTERIM FEES AND EXPENSES ENTERED 6-14-19 - (DOCKET NO. [208])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 6C Calendar**

Wednesday, June 26, 2019

Hearing Room 6C

11:00 AM

8:19-10123 Lisa A. Henry

Chapter 7

#14.10

Hearing RE: First Interim Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For The Period From February 1, 2019 Through May 31, 2019
(Application filed 6/5/19)

[RE: WEILAND GOLDEN GOODRICH, LLP - Attorneys For Chapter 7 Trustee]

[Fees: \$20,425.00; Expenses: \$76.20]

Docket 47

Tentative Ruling:

Tentative for 6/26/19 is to APPROVE as follows:

The Court will approve, on an interim basis, \$17,900.00 in fees and \$76.20 in expenses. The disallowed amounts relate to time expended in connection with employment applications. The "preparation of an application for employment of a professional is a duty generally performed by a trustee without the assistance of an attorney". See *In re Garcia*, 335 B.R. 717, 725 (B.A.P. 9th Cir. 2005) (where BAP affirmed the denial of fees related to trustee's counsel's employment application in Chapter 7 case, where counsel was retained to negotiate an equity buy back and sell property of the estate). The Firm has not demonstrated that the employment applications were not routine, which remains a trustee duty. *Id.*

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 6C Calendar**

Wednesday, June 26, 2019

Hearing Room 6C

11:00 AM

CONT... Lisa A. Henry

Chapter 7

Debtor(s):

Lisa A. Henry

Represented By
Kelly H. Zinser

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 27, 2019

Hearing Room 5C

10:00 AM

8:19-10093 Hung Nguyen

Chapter 7

#1.00

Hearing RE: Motion for relief from stay [Action in Non-Bankruptcy Forum]

Jacob van der Laan vs. DEBTOR
(Motion filed 5/31/19)

**[RE: Case Name: Jacob van der Laan vs. Nguyen et al.]
[Docket Number: 30-2018-00971732-CU-BC-CJC]
[Pending In: Superior Court Of California, County Of Orange, Central
Justice Center, Santa Ana]**

Docket 66

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF MOTION FILED 5-31-19 - (DOCKET NO. [70])**

Party Information

Debtor(s):

Hung Nguyen

Pro Se

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 27, 2019

Hearing Room 5C

10:00 AM

8:19-11578 Alexander Farzin Saad

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

Fifth Third Bank vs. DEBTOR
(Motion filed 5/30/19)

[RE: 2013 Hyundai Tucson]

Docket 8

***** VACATED *** REASON: ADVANCED TO JUNE 26, 2019 AT 10:00
A.M. PER ORDER ADVANCING HEARING ENTERED 6-7-19 (DOCKET
NO. [10])**

Party Information

Debtor(s):

Alexander Farzin Saad

Represented By
Alan A Pace

Trustee(s):

Richard A Marshack (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Thursday, June 27, 2019

Hearing Room 5C

10:00 AM

8:19-11900 Michael Anthony Mendoza and Ariana Rivera Mendoza

Chapter 7

#3.00

Motion for relief from stay [Personal Property]

Partners Federal Credit Union vs. DEBTORS
(Motion filed 5/30/19)

[RE: 2011 Honda Civic - VIN 2HGFA1F52BH546394]

Docket 8

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF MOTION FILED 6-7-19 - (DOCKET NO. [12])**

Party Information

Debtor(s):

Michael Anthony Mendoza

Represented By
Brian J Soo-Hoo

Joint Debtor(s):

Ariana Rivera Mendoza

Represented By
Brian J Soo-Hoo

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 27, 2019

Hearing Room

5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#4.00

CONT'D Hearing RE: Third Omnibus Motion For Order Disallowing The Claims Of Debtor's Employees Not Participants In Debtor's Employee Pension Plan (Motion filed 2/27/19)

Claim No. 57 Angelina Sharman \$45,000.00

FR: 4-4-19; 5-15-19

Docket 504

***** VACATED *** REASON: OFF CALENDAR; Order Granting The Third OMNIBUS Motion For Order Disallowing The Claims of Debtor's Employees Not Participants In Debtor's Employee Pension Plan Entered 6/21/19 (Docket No. [723])**

Party Information

Debtor(s):

California Hispanic Commission on

Represented By

Michael R Totaro

Linda F Cantor ESQ

Victoria Newmark

Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 27, 2019

Hearing Room 5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#5.00

CONT'D Hearing RE: Fifth Omnibus Motion For Order Disallowing The Claims That Are Not Owed By The Debtor
(Motion filed 2/28/219)

Claim No. 26-1 General Electric Capital Corporation \$86,702.95

FR: 4-4-19; 5-15-19

Docket 538

***** VACATED *** REASON: OFF CALENDAR; Order Granting The Third OMNIBUS Motion For Order Disallowing The Claims of Debtor's Employees Not Participants In Debtor's Employee Pension Plan Entered 6/21/19 (Docket No. [724])**

Party Information

Debtor(s):

California Hispanic Commission on

Represented By

Michael R Totaro

Linda F Cantor ESQ

Victoria Newmark

Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 27, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#6.00

Hearing RE: Confirmation Of Joint Chapter 11 Plan Of Liquidation Of PMB Managed Fund, LLC, And Alabama Housing Fund, LLC
(Confirmation hearing set at D.S. hearing held 4/18/19)

Docket 813

***** VACATED *** REASON: Order Confirming Joint Chapter 11 Plan Of
Liquidation Of PMB Managed Fund, LLC, And Alabama Housing Fund,
LLC Entered 6/18/19 [Docket No. [935]]**

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall

Robert S Marticello

Michael Simon

Philip E Strok

Kyra E Andrassy

Roger F Friedman

Susan K Seflin

Steven T Gubner

Corey R Weber

Michael W Davis

Kathy Bazoian Phelps

Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 27, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#6.10

Hearing RE: Sixth And Final Application For Order Allowing Payment Of Fees On A Final Basis For WJA Express Fund, LLC, For the Period From April 11, 2019 Though June 5, 2019, And Final Allowance Of Previously Allowed Interim Fees
(Application filed 6/5/19)

**[RE: MENCHACA & COMPANY LLP - Accountants For Debtors]
[Fees: \$2,280.00; Expenses: \$0.00]
[Previously Allowed Fees: \$15,998.25]**

Docket 915

***** VACATED *** REASON: OFF CALENDAR; ORDER GRANTING
FINAL APPLICATIONS FOR ALLOWANCE OF FEES AND
REIMBURSEMENT OF EXPENSES FOR DEBTOR WJA EXPRESS, LLC
ENTERED 6/21/19 (Docket No.[943**

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 27, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#6.20

Hearing RE: Fifth And Final Fee Application Only As To Debtor WJA Express Fund, LLC For The Period From May 18, 2018 Through April 21, 2019 (Application filed 6/6/19)

[RE: RUTAN & TUCKER, LLP - Special Counsel For Debtors and Debtors-In-Possession]

[Fees: \$38,486.00; Expenses: \$221.28]

Docket 919

***** VACATED *** REASON: OFF CALENDAR; ORDER GRANTING FINAL APPLICATIONS FOR ALLOWANCE OF FEES AND REIMBURSEMENT OF EXPENSES FOR DEBTOR WJA EXPRES, LLC ENTERED 6/21/19 (Docket No.[943])**

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 27, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#6.30

Hearing RE: Sixth And Final Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For Debtor WJA Express, LLC, Only For The Period From April 7, 2019 Through April 21, 2019.
(Application filed 6/6/19)

[RE: SMILEY WANG-EKVALL, LLP - Attorney For Debtor And Debtor-In-Possession]

[Fees: \$4,456.00; Expenses: \$0.00]

Docket 917

***** VACATED *** REASON: OFF CALENDAR; ORDER GRANTING
FINAL APPLICATIONS FOR ALLOWANCE OF FEES AND
REIMBURSEMENT OF EXPENSES FOR DEBTOR WJA EXPRESS, LLC
ENTERED 6/21/19 (Docket No.[943])**

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall

Robert S Marticello

Michael Simon

Philip E Strok

Kyra E Andrassy

Roger F Friedman

Susan K Seflin

Steven T Gubner

Corey R Weber

Michael W Davis

Kathy Bazoian Phelps

Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 27, 2019

Hearing Room 5C

11:00 AM

8:18-12720 Tina Hong-Ngoc Trinh

Chapter 11

#7.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 7/24/18)

FR: 9-13-18; 9-20-18; 12-20-18; 3-21-19; 4-18-19

Docket 1

***** VACATED *** REASON: CONTINUED TO AUGUST 8, 2019 AT 11:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE AND HEARING ON PLAN CONFIRMATION ENTERED 6-7-19 - (DOCKET NO. [67])**

Party Information

Debtor(s):

Tina Hong-Ngoc Trinh

Represented By
Michael Jones

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Thursday, June 27, 2019

Hearing Room 5C

11:00 AM

8:18-12720 Tina Hong-Ngoc Trinh

Chapter 11

#8.00

Hearing RE: Confirmation Of Chapter 11 Plan Of Reorganizaton
(Plan Confirmation hearing set at D.S. hearing held 4/18/19)

FR: 4-18-19

Docket 43

***** VACATED *** REASON: CONTINUED TO AUGUST 8, 2019 AT
11:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE AND
HEARING ON PLAN CONFIRMATION ENTERED 6-7-19 - (DOCKET
NO. [67])**

Party Information

Debtor(s):

Tina Hong-Ngoc Trinh

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 27, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#9.00

Hearing RE: Motion For Dismissal, Or In The Alternative, Conversion To Chapter 7
(Motion filed 5/31/19)

Docket 46

***** VACATED *** REASON: CONTINUED TO AUGUST 8, 2019 AT
11:00 A.M. PER ORDER GRANTING MOTION FOR CONTINUANCE
ENTERED 6-5-19 - (DOCKET NO. [57])**

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Thursday, June 27, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#10.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management
Conference And (2) Requiring Status Report
(Petition filed 4/15/19)

FR: 6/13/19

Docket 1

*** VACATED *** REASON: CONTINUED TO AUGUST 8, 2019 AT
11:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 6-7-19 - (DOCKET NO. [59])

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, June 27, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#11.00

Hearing RE: Chapter 11 Trustee's Motion For Order: Authorizing Sale Of Certain Customer Accounts; (A) Outside the Ordinary Course Of Business; (B) Free And Clear Of Interests; (C) Subject To Overbids (Motion filed 6/3/19)

Docket 191

***** VACATED *** REASON: ADVANCED TO JUNE 26, 2019 AT 10:00 A.M. PER AMENDED NOTICE OF HEARING FILED 6-10-19 - (DOCKET NO. [195])**

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

Trustee(s):

Howard B Grobstein (TR)

Represented By
David Wood
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 2, 2019

Hearing Room 126

10:00 AM

6:19-13222 Julie Nicole Barnes

Chapter 7

#1.00

Paul V. Reza - movant attorney

Motion for Relief from Stay

SchoolsFirst Federal Credit Union vs. DEBTOR
(Motion filed 6/8/19)

Re: 2014 Ford F-350, VIN 1FT8W3DT8EEA47570

EH_____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will occur.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Julie Nicole Barnes

Represented By
Stephen D Brittain

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 2, 2019

Hearing Room 126

10:00 AM

6:19-13443 Ruby Ruvalcaba

Chapter 7

#2.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Americredit Financial Services, Inc. vs. DEBTOR
(Motion filed 5/29/19)

Re: 2015 FORD FOCUS VIN 1FADP3F21FL206092

EH_____

Docket 11

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will occur.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ruby Ruvalcaba

Represented By
Keith Q Nguyen

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 2, 2019

Hearing Room 126

10:00 AM

6:19-14443 Juan Carlos Gallardo and Yadira Gallardo

Chapter 7

#3.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

TD Auto Finance LLC vs. DEBTORS, Larry D. Simons, trustee
(Motion filed 5/30/19)

Re: 2018 CHEVROLET SILVERADO VIN 3GCPCPEC5JG133951

EH_____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will occur.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Juan Carlos Gallardo

Represented By
James Geoffrey Beirne

Joint Debtor(s):

Yadira Gallardo

Represented By
James Geoffrey Beirne

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 2, 2019

Hearing Room 126

10:00 AM

CONT... Juan Carlos Gallardo and Yadira Gallardo

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 2, 2019

Hearing Room 126

10:00 AM

6:19-14612 MaryAnn Evers

Chapter 7

#4.00

Law Offices of Vincent V. Frounjian, P.C. - movant attorney

Motion for Relief from Stay

American Honda Finance Corporation vs. DEBTOR, Lynda T. Bui, chapter 7 trustee
(Motion filed 6/11/19)

Re: 2017 HONDA ACCORD, VIN: 1HGC R2F1 7HA0 28951

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will occur.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

MaryAnn Evers

Pro Se

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 3, 2019

Hearing Room 126

10:00 AM

6:19-13694 Jennifer Lin Lewis

Chapter 7

#1.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and Mechanics Bank in the amount of \$8084.33

Re: 2013 Mazda3

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jennifer Lin Lewis

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 3, 2019

Hearing Room 126

10:00 AM

6:19-13694 Jennifer Lin Lewis

Chapter 7

#2.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and Hyundai Motor Finance in the amount of \$36,478.89

Re: 2017 Genesis G80

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jennifer Lin Lewis

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 3, 2019

Hearing Room 126

10:00 AM

6:19-14150 Bradley Steven Wynne and Alicia Marie Torres-Wynne

Chapter 7

#2.10

Hrg. on Approval of Reaffirmation Agreement Between Debtor and Ally Bank, in the amount of \$12,196.95

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bradley Steven Wynne

Represented By
Shumika T. R. Sookdeo

Joint Debtor(s):

Alicia Marie Torres-Wynne

Represented By
Shumika T. R. Sookdeo

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 3, 2019

Hearing Room 126

10:00 AM

6:19-13660 Michelle Therese Johnston-Swanson

Chapter 7

#2.20

Hrg. on Approval of Reaffirmation Agreement Between Debtor and Kia Motors Finance in the amount of \$13,472.93

Re: 2016 Kia Soul

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michelle Therese Johnston-Swanson

Represented By
Michael E Clark

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 3, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania

Chapter 7

Adv#: 6:18-01201 Turoci v. Mulvania

#7.00

Hrg. on Defendant's Second Motion for Sanctions under Bankruptcy Rule 9011(c) against Todd L. Turoci and counsel

EH_____

Docket 48

***** VACATED *** REASON: Stipulation to Withdraw filed on 6/26/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Christopher John Mulvania

Represented By
Donald Reid
Charity J Manee

Plaintiff(s):

Todd Turoci

Represented By
Todd L Turoci

Trustee(s):

Larry D Simons (TR)

Represented By
Lynda T Bui
Brandon J Iskander

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 3, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania

Chapter 7

Adv#: 6:18-01201 Turoci v. Mulvania

#8.00

Hrg. on Defendant's Motion filed 6/12/19 to Dismiss Adversary Proceeding

EH_____

Docket 47

***** VACATED *** REASON: Cont. to 7/17/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Christopher John Mulvania

Represented By
Donald Reid
Charity J Manee

Plaintiff(s):

Todd Turoci

Represented By
Todd L Turoci

Trustee(s):

Larry D Simons (TR)

Represented By
Lynda T Bui
Brandon J Iskander

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 3, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania

Chapter 7

Adv#: 6:18-01201 Turoci v. Mulvania

#9.00

PRE-TRIAL CONFERENCE Re: Complaint by Todd Turoci against Christopher John Mulvania - §523(a)(2)(A), (B), §727(c),(d),(e)

EH_____

Docket 1

***** VACATED *** REASON: CONTINUED TO 10/2/2019 AT 1:30 P.M.,
PER ORDER ENTERED 5/15/19 - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Christopher John Mulvania

Pro Se

Plaintiff(s):

Todd Turoci

Represented By
Todd L Turoci

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 3, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania

Chapter 7

Adv#: 6:18-01199 Gould v. Mulvania

#10.00

PRE-TRIAL CONFERENCE re: Complaint by Scott C. Gould against Christopher John Mulvania - §523(a)(2)(A), § 727(c),(d),(e)

EH_____

Docket 1

***** VACATED *** REASON: Case Dismissed on 5/2/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Christopher John Mulvania

Pro Se

Plaintiff(s):

Scott C. Gould

Represented By
Jeffrey J Hagen

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 3, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#3.00

Hearing RE: Chapter 7 Trustee's Motion For Order Approving Compromise Of Controversy Regarding Agreement Settling Occupancy Of Newport Beach Residence And Certain, Potential Trustee Causes Of Action Pursuant To Federal Rule Of Bankruptcy Procedure 9019 (Motion filed 6/7/19)

Docket 196

Tentative Ruling:

Tentative for 7/3/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 3, 2019

Hearing Room 5C

11:00 AM

8:19-10093 Hung Nguyen

Chapter 7

Adv#: 8:19-01067 Van der Laan v. Nguyen

#4.00

STATUS CONFERENCE Hearing RE: Complaint For Nondischargeability Of
Debt Pursuant To 11 U.S.C. Section 523(a)(2)(A)
(Complaint filed 4/14/19)

Docket 1

Tentative Ruling:

Tentative for 7/3/19:

The Court has received and reviewed the status report filed 6/26/19 [Dk. 8], as well as the docket, and will CONTINUE this matter to September 18, 2019 at 11:00 a.m. to allow Plaintiff time to effectuate proper service. In addition to the defects noted on the Notices That Default was Not Entered filed by the clerk on June 27, 2019 [Dks. 12, 15], the Summons Service executed indicates only that the summons, notice of status conference, and notice of errata to the complaint were served on the Defendant - it does not indicate that the Complaint was served.

Appearances for the July 3, 2019 status conference are excused.

Party Information

Debtor(s):

Hung Nguyen

Represented By
Alex L Benedict

Defendant(s):

Hung (Johnny) Nguyen

Pro Se

Plaintiff(s):

Jacob Van der Laan

Represented By
Treg A. Julander
John E Lattin

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 3, 2019

Hearing Room 5C

11:00 AM

CONT... Hung Nguyen

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 3, 2019

Hearing Room 5C

11:00 AM

8:19-10093 Hung Nguyen

Chapter 7

Adv#: 8:19-01070 Marshack v. Nguyen

#5.00

STATUS CONFERENCE Hearing RE: Complaint To Deny Debtor's Discharge
Per 11 U.S.C. Section 727
(Complaint filed 4/17/19)

Docket 1

Tentative Ruling:

Tentative for 7/3/19:

This matter is CONTINUED to July 17, 2019 at 11:00 a.m. to coincide with the hearing on the Trustee's motion for default judgment denying discharge.

Appearances are excused.

Party Information

Debtor(s):

Hung Nguyen

Represented By
Alex L Benedict

Defendant(s):

Hung Nguyen

Pro Se

Plaintiff(s):

Richard A Marshack

Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 3, 2019

Hearing Room 5C

11:00 AM

8:19-10153 Thomas Joseph Lynch, JR

Chapter 7

Adv#: 8:19-01069 OC West, LLC et al v. Lynch

#6.00

STATUS CONFERENCE RE: Complaint For:

1. Nondischargeability Of Debt Pursuant To §§ 523(a)(2)(A), 523(a)(2)(B), 523(a)(4) and 523(a)(6);
2. Denial Of Discharge Pursuant To: §§ 727(a)(2)(A), 727(a)(2)(B), 727(a)(3), 727(a)(4)(A), 727(a)(4)(D), 727(a)(5), and 727(a)(12)(B); And
3. Unfair, Unlawful And Fraudulent Business Practice California Business And Professional Code Section 17200 et seq.
(Complaint filed 4/17/19)

Docket 1

Tentative Ruling:

Tentative for 7/3/19:

This matter is CONTINUED to July 17, 2019 at 10:00 a.m. to coincide with the hearing on the motion to dismiss. A status report is not required for this continued status conference.

Appearances are excused.

Party Information

Debtor(s):

Thomas Joseph Lynch JR

Represented By
Patrick OKennedy

Defendant(s):

Thomas Joseph Lynch

Pro Se

Plaintiff(s):

OC West, LLC

Represented By
Baruch C Cohen

Liberty Financial USA, LCC

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 3, 2019

Hearing Room 5C

11:00 AM

CONT... Thomas Joseph Lynch, JR

Chapter 7

Baruch C Cohen

Liberty Debt Solution, LLC

Represented By
Baruch C Cohen

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 3, 2019

Hearing Room 5C

11:00 AM

8:19-12448 Lightning Technology, Inc.

Chapter 11

#6.10

Hearing RE: Debtor And Debtor-In-Possession's Emergency Motion For Order:
(1) Honoring Pre-Petition Payroll Obligations And (2) Authority To Continue
Employee Compensation And Payroll Obligations In The Ordinary Course Of
Business
(Motion filed 7/1/19)

Docket 7

Tentative Ruling:

Tentative for 7/3/19:

The Court is inclined to GRANT the Motion to pay prepetition non-insider wage claims (including insurance and Paychex fees). Payment of post-petition wages is in the ordinary course of business, and no court order is required. With respect to wage payments, no insiders shall be paid pursuant to this order; however, ordinary and usual medical benefits may be paid on behalf of any insider, once the insider has been identified to the Court. Paychex is authorized to continue its services to the Debtor-in-Possession in the ordinary course of business.

Prior to the hearing, the Debtor-in-Possession must submit the actual names of all insider and non-insider employees and amounts owed prepetition that are sought to be paid through this Motion.

Appearances required. Oppositions and any reply may be presented at the hearing.

Party Information

Debtor(s):

Lightning Technology, Inc.

Represented By
Bert Briones

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

6:19-12948 Michael August Simas and Stephani D. Shambaugh-Simas

Chapter 7

#1.00

Malcolm Cisneros - movant attorney

Motion for relief from stay

Freedom Mortgage Corporation vs DEBTORS
(Motion filed 6/24/19)

Re: 15018 Vista VW, Lake Elsinore, CA 92530-7212

EH _____

Docket 12

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Michael August Simas

Represented By
M. Wayne Tucker

Joint Debtor(s):

Stephani D. Shambaugh-Simas

Represented By
M. Wayne Tucker

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

CONT... Michael August Simas and Stephani D. Shambaugh-Simas

Chapter 7

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

6:19-13610 Porsha John

Chapter 7

#2.00

Cooksey Toolen Gage Duffy & Woog - movant attorney

Motion for relief from stay

AMERICREDIT FINANCIAL SERVICES, INC vs DEBTOR
(Motion filed 6/20/19)

Re: 2016 CHEVROLET SUBURBAN VIN 1GNSCHKC6GR483545

EH _____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Porsha John

Represented By
Kevin Tang

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

6:19-13748 David Villanueva and Monica I Villanueva

Chapter 7

#3.00

Bonial & Associates PC - movant attorney

Motion for relief from stay

Toyota Motor Credit Corporation vs DEBTORS
(Motion filed 6/21/19)

RE: 2017 TOYOTA CAMRY

EH ____

Docket 15

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

David Villanueva

Represented By
William J Howell

Joint Debtor(s):

Monica I Villanueva

Represented By
William J Howell

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

CONT... David Villanueva and Monica I Villanueva

Chapter 7

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

6:19-14065 Crabrill C Williams

Chapter 7

#4.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA, Inc. vs. DEBTOR; Howard B. Grobstein, Trustee
(Motion filed 6/12/19)

RE: 2018 NISSAN ALTIMA VIN 1N4AL3AP3JC135245

Docket 13

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Crabrill C Williams

Pro Se

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

6:19-14073 Joanna Janet Tapia Figueroa

Chapter 7

#5.00

Law Offices of Austin P. Nagel - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 6/11/19)

Re: 2017 Toyota Highlander

EH_____

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Joanna Janet Tapia Figueroa

Represented By
Claudia C Osuna

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

6:19-14200 Eric Daker and Beverle Diane Daker

Chapter 7

#6.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

ACAR Leasing LTD d/b/a GM Financial Leasing vs. DEBTOR, Charles W. Daff,
trustee
(Motion filed 6/18/19)

Re: 2016 GMC ACADIA VIN 1GKKRNE9GJ329053

EH_____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Eric Daker

Represented By
Omar Zambrano

Joint Debtor(s):

Beverle Diane Daker

Represented By
Omar Zambrano

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

CONT... Eric Daker and Beverle Diane Daker

Chapter 7

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

6:19-14358 Concepcion Ramirez

Chapter 7

#7.00

The Law Offices of Jason C Tatman APC - movant attorney

Motion for relief from stay

MTGLQ Investors LP vs DEBTOR, EDWARD & ANNA PONCE non filing co-debtor
(Motion filed 6/21/19)

RE: 839 North K Street, San Bernardino, California 92411

EH _____

Docket 7

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1), § 362(d)(2) and § 362(d)(4) with 4001(a)(3) waiver and extraordinary relief as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Concepcion Ramirez

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

6:19-14550 Ruben Alex Samano and Samantha Cassandra Samano

Chapter 7

#8.00

Bonial & Associates, P.C. - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTORS
(Motion filed 6/21/19)

Re: 2015 LEXUS CT200H

EH_____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ruben Alex Samano

Represented By
James Geoffrey Beirne

Joint Debtor(s):

Samantha Cassandra Samano

Represented By
James Geoffrey Beirne

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

CONT... Ruben Alex Samano and Samantha Cassandra Samano

Chapter 7

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

6:19-14896 Ernesto Ibarra Gonzalez and Angelica Munoz Ibarra

Chapter 7

#9.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

TD Auto Finance LLC vs. DEBTORS, Larry D. Simons, trustee
(Motion filed 6/12/19)

Re: 2014 CHEVROLET EQUINOX VIN 1GNALAEK1EZ127801

EH_____

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ernesto Ibarra Gonzalez

Represented By
Edgar P Lombera

Joint Debtor(s):

Angelica Munoz Ibarra

Represented By
Edgar P Lombera

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

CONT... Ernesto Ibarra Gonzalez and Angelica Munoz Ibarra

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

6:19-14952 Jovana Octavia Cowart

Chapter 7

#10.00

Mandelbaum & Robison LLP - movant attorney

Motion for Relief from Stay

LPI Del, LLC vs. DEBTOR
(Motion filed 6/14/19)

Re: 550 North Central Ave, # 4102, Upland, CA 91786

EH_____

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jovana Octavia Cowart

Represented By
Nicholas M Wajda

Trustee(s):

Howard B Grobstein (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar

Tuesday, July 16, 2019

Hearing Room 126

10:00 AM

6:19-14966 ASR Powder Coatings, LLC

Chapter 7

#11.00

Idin Kashefipour, Esq.- movant attorney

Motion for Relief from Stay

Metroll, inc. vs. DEBTOR
(Motion filed 6/12/19)

Re: 15435 Arrow Route, Building B, Fontana, CA 92335

EH_____

Docket 10

*** VACATED *** REASON: Advanced to 6/25/19 @ 10:00 a.m. by order
shortening time signed on 6/13/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

ASR Powder Coatings, LLC

Represented By
Keith Q Nguyen

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

11:00 AM

6:17-19048 Caroline C Mendoza

Chapter 11

#12.00

Hrg. on Chapter 11 Status Conference

(Cont. from 4/16/19)

(Advanced from 1:30 p.m. calendar)

EH_____

Docket 0

Tentative Ruling:

Tentative for 7/16/19:

Appearances required.

Party Information

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

11:00 AM

6:17-19048 Caroline C Mendoza

Chapter 11

#13.00

Hrg. on Confirmation of third amended chapter 11 plan

(Advanced from 1:30 p.m. calendar)

EH_____

Docket 0

Tentative Ruling:

Tentative for 7/16/19:

Appearances required.

Party Information

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

11:00 AM

6:17-19048 Caroline C Mendoza

Chapter 11

#14.00

Hrg. on Confirmation of third amended chapter 11 plan

(Advanced from 1:30 p.m. calendar)

EH_____

Docket 0

***** VACATED *** REASON: Duplicate of #13 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

11:00 AM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#15.00

Hrg. on Confirmation of chapter 11 plan

EH_____

(Advanced from 1:30 p.m. calendar)

Docket 0

Tentative Ruling:

Tentative for 7/16/19:

Appearances required.

Tentative for 4/16/19 is to GRANT.

Appearances required.

Tentative for 3/5/19 is to CONTINUE the hearing on the disclosure statement to April 16, 2019, at 1:30 p.m. to allow Debtor to file an amended plan and disclosure statement that addresses and resolves the issues raised in the objections filed by Creditor Columbia Bank on February 15, 2019 [Dk. 127] and by the UST on February 19, 2019 [Dk. 128].

An amended disclosure statement and plan must be filed by **March 26, 2019**.
Oppositions to the amended disclosure statement are due **April 2, 2019**.
Replies to any opposition are due **April 9, 2019**.

Appearances for the 3/5/19 hearing are excused.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

11:00 AM

CONT... Big Bear Bowling Barn, Inc.

Chapter 11

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

11:00 AM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#16.00

Hrg. on Chapter 11 Status Conference

EH_____

(Cont. from 4/16/19)

(Advanced from 1:30 p.m. calendar)

Docket 0

Tentative Ruling:

Tentative for 7/16/19:

None listed.

Tentative for 3/5/19 is to set a continued status conference date of April 16, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 1/22/19 is to set a continued status conference date of March 5, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 8/21/18 is to set a continued status conference date of January

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

11:00 AM

CONT... Big Bear Bowling Barn, Inc.

Chapter 11

22, 2019 at 11:00 a.m. A status report is due 14 days in advance.

With respect to Debtor's request to continue the October 15, 2018 deadline to file a plan and disclosure statement, which was set pursuant to an order entered August 8, 2018 [Dk. 70] at Debtor's request, the Court would prefer a formal motion, which it can then grant for cause, if cause exists.

Appearances required.

Tentative for 5/15/18 is to set the following dates/deadlines:

1. Deadline to file a Plan and Disclosure Statement: August 3, 2018, which is approximately 120 days from the Petition Date. Note: the failure to timely file a Plan and Disclosure Statement may result in the dismissal or conversion of the case.
2. Claims Bar Date: July 30, 2018, with the notice to be served by no later than May 29, 2018.
3. Claims Objection Date: September 28, 2018.
4. Continued Status Conference: August 21, 2018 at 1:30 p.m.. A status report is due 14 days in advance.

Debtor is to lodge a scheduling order within seven days.

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

11:00 AM

6:19-13251 David Henry Hilton, Jr.

Chapter 7

#17.00

Hrg. on creditor, LaToya Redd's Motion filed 6/18/19 Objecting to Debtor's List of Exemptions

EH_____

Docket 9

Tentative Ruling:

Tentative for 7/16/19:

This matter is CONTINUED to August 6, 2019 at 11:00 a.m. No hearing will occur on 7/16/19. Appearances are excused.

Party Information

Debtor(s):

David Henry Hilton Jr.

Represented By
Jenny L Doling

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

11:00 AM

6:19-13708 SIF Services, LLC

Chapter 11

#18.00

K & L Gates LLP - movant attorney

Motion for Relief from Stay

Prologis, L.P. vs. DEBTOR
(Motion filed 6/19/19)

Re: Lease Agreement between Debtor and Prologis, L.P. dated July 18, 2016

EH_____

(Advanced from 1:30 p.m. calendar)

Docket 78

Tentative Ruling:

Tentative for 7/16/19:

Appearances required.

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox
W. Sloan Youkstetter
Janis G Abrams

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

11:00 AM

6:19-13708 SIF Services, LLC

Chapter 11

#18.10

Hrg. on Debtor-in-Possession Motion filed 7/2/19 to Reject Lease

EH_____

(OST signed 7/2/19)

Docket 104

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox
W. Sloan Youkstetter
Janis G Abrams
Michael B Lubic

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

11:00 AM

6:17-19913 Thomas John Forrest

Chapter 7

#18.20

Hrg. on chapter 7 trustee Motion filed 6/25/19 to sell real property and for its turnover

EH_____

Docket 64

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Thomas John Forrest

Represented By
Michael F Chekian

Trustee(s):

Larry D Simons (TR)

Represented By
Wesley H Avery

United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar

Tuesday, July 16, 2019

Hearing Room 126

1:30 PM

6:17-19048 Caroline C Mendoza

Chapter 11

#19.00

Hrg. on Confirmation of third amended chapter 11 plan

EH_____

Docket 0

*** VACATED *** REASON: Advanced to 11:00 a.m. calendar - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

1:30 PM

6:17-19048 Caroline C Mendoza

Chapter 11

#20.00

Hrg. on Chapter 11 Status Conference

(Cont. from 4/16/19)

EH_____

Docket 0

***** VACATED *** REASON: Advanced to 11:00 a.m. calendar - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

1:30 PM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#21.00

Hrg. on Chapter 11 Status Conference

EH_____

(Cont. from 4/16/19)

Docket 0

***** VACATED *** REASON: advanced to 11:00 a.m. calendar - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

1:30 PM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#22.00

Hrg. on Confirmation of chapter 11 plan

EH_____

Docket 0

***** VACATED *** REASON: Advanced to 11:00 a.m. calendar - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

1:30 PM

6:18-12748 CompCare Medical, Inc.

Chapter 11

#23.00

Hrg. on Chapter 11 Status Conference

(Cont. from 3/19/19)

EH_____

Docket 1

***** VACATED *** REASON: Case Closed on 4/22/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

CompCare Medical, Inc.

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#24.00

Hrg. on Chapter 11 Status Conference

(Cont. from 6/11/19)

EH_____

Docket 1

***** VACATED *** REASON: Cont. to 8/6/19 @ 1:30 p.m. by order signed
on 6/25/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, July 16, 2019

Hearing Room 126

1:30 PM

6:19-13708 SIF Services, LLC

Chapter 11

#25.00

K & L Gates LLP - movant attorney

Motion for Relief from Stay

Prologis, L.P. vs. DEBTOR
(Motion filed 6/19/19)

Re: Lease Agreement between Debtor and Prologis, L.P. dated July 18, 2016

EH_____

Docket 78

***** VACATED *** REASON: advanced to 11:00 a.m. calendar - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox
W. Sloan Youkstetter
Janis G Abrams

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 17, 2019

Hearing Room 126

1:30 PM

6:15-17631 Mario E. Najarro

Chapter 7

Adv#: 6:17-01237 U.S. Trustee v. Howard et al

#25.00

STATUS CONFERENCE re: Complaint by U.S. Trustee against Vincent D Howard, Howard Law P.C., Williamson & Howard LLP, Timothy Allen Reed. Complaint For Disgorgement Of Fees, Civil Penalties, And/Or Injunctive And Declaratory Relief

(Cont. from 5/1/19)

EH_____

Docket 1

***** VACATED *** REASON: Order entered 4/17/19 Approving Stipulation resolving adversary proceedings - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mario E. Najarro

Represented By
Timothy Reed
Jeffrey A Katz

Defendant(s):

Vincent D Howard

Pro Se

Howard Law P.C.

Pro Se

Williamson & Howard LLP

Pro Se

Timothy Allen Reed

Pro Se

Plaintiff(s):

U.S. Trustee

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 17, 2019

Hearing Room 126

1:30 PM

CONT... Mario E. Najarro

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 17, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania

Chapter 7

Adv#: 6:18-01201 Turoci v. Mulvania

#26.00

Hrg. on Defendant's Motion filed 6/12/19 to Dismiss Adversary Proceeding

EH_____

(Cont. from 7/3/19)

Docket 47

Tentative Ruling:

Tentative for 7/17/19:

Personal appearances are required in Courtroom 5C, 411 West Fourth Street, Santa Ana, CA 92701.

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Christopher John Mulvania

Represented By
Donald Reid
Charity J Manee

Plaintiff(s):

Todd Turoci

Represented By
Todd L Turoci

Trustee(s):

Larry D Simons (TR)

Represented By
Lynda T Bui
Brandon J Iskander

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 17, 2019

Hearing Room 126

1:30 PM

6:18-16626 Judy Zhuang

Chapter 7

Adv#: 6:18-01217 Liao v. Zhuang

#27.00

Hrg on Defendant's Motion filed 6/27/19 for Withdrawal of Admissions under Federal Rule of Civil Procedure 36(b)

EH _____

Docket 61

***** VACATED *** REASON: Re-Noticed for 8/7/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Judy Zhuang

Represented By
Todd L Turoci

Defendant(s):

Judy Zhuang

Represented By
Todd L Turoci

Plaintiff(s):

Chih Ling Liao

Represented By
Sam X J Wu

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 17, 2019

Hearing Room 126

1:30 PM

6:18-19039 Paramjit Singh

Chapter 7

Adv#: 6:19-01021 Ipex Capital, LLC et al v. Singh

#28.00

STATUS CONFERENCE re: Complaint by Ipex Capital, LLC, Don Osborne, Mohammad Moktare against Paramjit Singh. (false pretenses, false representation, actual fraud),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)),(65 (Dischargeability - other)) (727(a)(3))

(Cont. from 4/17/19)

Docket 1

*** VACATED *** REASON: Judgment entered 4/16/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Paramjit Singh

Represented By
Robert J Spitz

Defendant(s):

Paramjit Singh

Pro Se

Plaintiff(s):

Ipex Capital, LLC

Represented By
Neal Salisian

Don Osborne

Represented By
Neal Salisian

Mohammad Moktare

Represented By
Neal Salisian

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 17, 2019

Hearing Room 126

1:30 PM

6:18-19561 Esteban Brito Gallegos

Chapter 7

Adv#: 6:19-01043 Whitmore v. Brito et al

#29.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against Anhely Brito, Edwin Brito Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer))

(Cont. from 5/15/19)

EH_____

Docket 1

Tentative Ruling:

Tentative for 7/17/19:

The Court has received and reviewed the Joint Status Report filed on July 3, 2019 [Dk. 10], which represents that the parties have settled this matter and will be filing a Motion to Approve Compromise. Accordingly, this matter is CONTINUED to October 23, 2019 at 1:30 p.m. as a holding date pending court approval of the settlement agreement. If the case has not yet been dismissed, a status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Esteban Brito Gallegos

Represented By
Priscilla C Solario

Defendant(s):

Anhely Brito

Pro Se

Edwin Brito

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, July 17, 2019

Hearing Room 126

1:30 PM

CONT... Esteban Brito Gallegos

Chapter 7

Plaintiff(s):

Robert S. Whitmore

Represented By
Julie Philippi

Trustee(s):

Robert Whitmore (TR)

Represented By
Julie Philippi

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

9:30 AM

8:18-14414 Juan Flores Reyes

Chapter 7

#1.00

Hearing RE: Reaffirmation Agreement Between Debtor And 21st Mortgage Corporation
(Motion filed 6/13/19)
[CB Case]

[RE: 1998 Skyline Manufactured Home - Amount: \$51,527.00]

Docket 34

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juan Flores Reyes

Represented By
Michael E Plotkin

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

9:30 AM

8:19-10607 Bruce Walter Gardner and Kathy Denise Gardner

Chapter 7

#2.00

CONT'D Hearing RE: Pro se Reaffirmation Agreement Between Debtor And
SchoolsFirst Federal Credit Union (aka OCTFCU)

[RE: 2012 Hyundai Sonata - Amount: \$4,785.98]

FR: 5-15-19

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bruce Walter Gardner	Pro Se
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Joint Debtor(s):

Kathy Denise Gardner	Pro Se
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Trustee(s):

Thomas H Casey (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

9:30 AM

8:19-10637 Jamie Sue Chreiger

Chapter 7

#3.00

Hearing RE: Reaffirmation Agreement Between Debtor And Capital One Auto Finance, A Division Of Capital One N.A.

(Motion filed 6/3/19)

[ES Case]

[RE: 2017 Toyota Camry Sedan 4D SE I4 - Amount: \$17,727.32]

[VIN No.: 4T1BF1FK1HU743305]

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jamie Sue Chreiger

Represented By
Nicholas J Cochran

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

9:30 AM

8:19-10648 Edgar Herrera-Lopez and Araceli Bedolla Cobarrubias

Chapter 7

#4.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Nissan Motor Acceptance Corporation
(Motion filed 6/6/19)
[TA Case]

**[RE: 2015 Nissan Sentra - Amount: \$9,843.06]
[VIN No.: 3N1AB7AP6FY233160]**

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Edgar Herrera-Lopez

Represented By
Marlin Branstetter

Joint Debtor(s):

Araceli Bedolla Cobarrubias

Represented By
Marlin Branstetter

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

9:30 AM

8:19-11205 Osvaldo Ramos and Claudia E Plascencia Orozco

Chapter 7

#5.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Ford Motor Credit Company LLC
(Motion filed 5/29/19)
[CB Case]

**RE: 2016 Ford F150 - Amount: \$22,922.12]
[VIN No.: 1FTEW1C84GKE62524]**

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Osvaldo Ramos

Represented By
Lauren M Foley

Joint Debtor(s):

Claudia E Plascencia Orozco

Represented By
Lauren M Foley

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

9:30 AM

8:19-11235 Andrea Meller and Mark Kenneth Sheldon

Chapter 7

#6.00

Hearing RE: Reaffirmation Agreement Between Debtor And Wells Fargo Bank
N.A., d/b/a Wells Fargo Auto
(Motion filed 6/7/19)
[CB Case]

[RE: 2014 Hyundai Accent - Amount: \$3,742.89]

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Andrea Meller Pro Se

Joint Debtor(s):

Mark Kenneth Sheldon Pro Se

Trustee(s):

Weneta M Kosmala (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

9:30 AM

8:19-11289 Shannon Mark Dixon and Melissa Ayn Dixon

Chapter 7

#7.00

Hearing RE: Reaffirmation Agreement Between Debtor And Santander Consumer USA Inc. dba Chrysler Capital As Servicer For CCAP Auto Least Ltd. (Motion filed 6/5/19)

[ES Case]

[RE: 2017 Dodge Challenger - Amount: \$17,242.42]

[VIN No.: 2C3CDZBT4HH618365]

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shannon Mark Dixon

Represented By
Stephen D Brittain

Joint Debtor(s):

Melissa Ayn Dixon

Represented By
Stephen D Brittain

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

9:30 AM

8:19-11294 Brandon Le

Chapter 7

#8.00

Hearing RE: Reaffirmation Agreement Between Debtor and American Honda Finance Corporation
(Motion filed 6/18/19)
[ES Case]

**[RE: 2016 Honda Civic - Amount: \$6,431.90
VIN No.: 2HGFC!F38GH634186**

Docket 17

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brandon Le

Represented By
Quan M Chau

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

9:30 AM

8:19-11326 Pamela Nicole Game

Chapter 7

#9.00

Hearing RE: Reaffirmation Agreement Between Debtor And CarMax Auto Finance
(Motion filed 5/29/19)
[TA Case]

[RE: 2014 Fiat 500L - Amount: \$15,838.49]

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Pamela Nicole Game

Represented By
Steven A Alpert

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

9:30 AM

8:19-11389 Kiet Tuan Tran

Chapter 7

#10.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Toyota
Motor Credit Corporation
(Motion filed 5/30/19)

**[RE: 2017 Toyota Camry - Amount: \$14,782.07]
[VIN No. 4T1BF1FK3HU345609]**

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kiet Tuan Tran	Pro Se
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Trustee(s):

Weneta M Kosmala (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

9:30 AM

8:19-11513 Guadalupe Maria Ceja

Chapter 7

#11.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Orange County's Credit Union
(Motion filed 6/10/19)
[TA Case]

**RE: 2011 Toyota Camry - Amount: \$10,536.92
[VIN No.: 4TBF3EK2BU632346]**

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Guadalupe Maria Ceja

Represented By
Sevag Nigoghosian

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

9:30 AM

8:19-11776 Leonel Ramos Morales and Alma Delia Chamu

Chapter 7

#12.00

Hearing RE: Reaffirmation Agreement Between Debtor And Toyota Motor
Credit Corporation
(Motion filed 6/5/19)
[CB Case]

**[RE: 2017 Toyota Camry - Amount: \$18,210.78]
[VIN No.: 4T1BF1FK4HU426912]**

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Leonel Ramos Morales

Represented By
Bryn C Deb

Joint Debtor(s):

Alma Delia Chamu

Represented By
Bryn C Deb

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01064 Marshack v. Castanon et al

#13.00

Hearing RE: Motion For Partial Summary Judgment
(Motion filed 5/31/19)

Docket 56

***** VACATED *** REASON: CONTINUED TO 11:00 A.M. CALENDAR
PER ORDER ENTERED 6-19-19 (Docket No. [61])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Michael Edward Castanon

Represented By
Rhonda Walker

BeachPointe Investments, Inc.

Represented By
Evan C Borges

George Bawuah

Represented By
Evan C Borges

Jerry Bolnick

Represented By
Evan C Borges

Jonathan Blau

Represented By
Evan C Borges

Joseph Bolnick

Represented By
Evan C Borges

Maria Castanon

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Kenneth Miller

Represented By
Evan C Borges

Peter Van Petten

Represented By
Evan C Borges

Raymond Midley

Represented By
Evan C Borges

Veronica Marfori

Represented By
Evan C Borges

Plaintiff(s):

Richard A. Marshack

Represented By
Sharon Oh-Kubisch

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

10:00 AM

8:19-10093 Hung Nguyen

Chapter 7

Adv#: 8:19-01071 Lee v. Nguyen

#14.00

STATUS CONFERENCE Hearing RE: Complaint For Nondischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(2)(A) And Objection To Entry Of Discharge Of Debtor's Debt Pursuant To 11 U.S.C. Section 727(a)(4)(A) (Complaint filed 4/18/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO 11:00 A.M. CALENDAR
PER PER ORDER ENTERED 6/24/19 (Document No. [8])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hung Nguyen

Represented By
Alex L Benedict

Defendant(s):

Hung Nguyen

Pro Se

Plaintiff(s):

Benjamin Lee

Represented By
Jason K Boss

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

10:00 AM

8:19-10093 Hung Nguyen

Chapter 7

Adv#: 8:19-01070 Marshack v. Nguyen

#15.00

Hearing RE: Trustee's Application For Entry Of Judgment Denying Debtor's Discharge Per 11 U.S.C. Section 727
(Motion filed 6/13/19)

Docket 7

***** VACATED *** REASON: CONTINUED TO JULY 17, 2019 AT 11:00
A.M. PER ORDER ENTERED 6-19-19 - (DOCKET NO. [11])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hung Nguyen Pro Se

Defendant(s):

Hung Nguyen Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

10:00 AM

8:19-10153 Thomas Joseph Lynch, JR

Chapter 7

Adv#: 8:19-01074 NuVision Federal Credit Union v. Lynch

#16.00

STATUS CONFERENCE Hearing RE: First Amended Complaint To Determine
The Dischargeability Of Debts Pursuant To 11 U.S.C. Section 523(a)(2)(A)
(Complaint filed 4/23/19)
(First Amended Complaint filed 7/3/19)

Docket 1

Tentative Ruling:

Tentative for 7/17/19:

This matter is CONTINUED to October 2, 2019 at 11:00 a.m. A status report
is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Thomas Joseph Lynch JR

Represented By
Patrick OKennedy

Defendant(s):

Thomas Joseph Lynch Jr.

Pro Se

Plaintiff(s):

NuVision Federal Credit Union

Represented By
Alana B Anaya

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

10:00 AM

8:19-10153 Thomas Joseph Lynch, JR

Chapter 7

Adv#: 8:19-01074 NuVision Federal Credit Union v. Lynch

#17.00

Hearing RE: Motion To Dismiss Complaint Pursuant To 11 USC Section 523(a)
(A) And Other Grounds For Failure To State A Claim
(Motion filed 5/23/19) (Notice Of Hearing filed 5/24/19)

Docket 5

Tentative Ruling:

Tentative for 7/17/19:

This matter is DENIED as moot in light of the amended complaint filed 7/3/19 [Dk. 8]. Plaintiff is to lodge an order within (7) days which reflects the foregoing.

No hearing on this matter will occur. Appearances are excused.

Party Information

Debtor(s):

Thomas Joseph Lynch JR

Represented By
Patrick OKennedy

Defendant(s):

Thomas Joseph Lynch Jr.

Represented By
Patrick OKennedy

Plaintiff(s):

NuVision Federal Credit Union

Represented By
Alana B Anaya

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

10:00 AM

8:19-10153 Thomas Joseph Lynch, JR

Chapter 7

Adv#: 8:19-01069 OC West, LLC et al v. Lynch

#18.00

Hearing RE: Motion To Dismiss Complaint Pursuant To 11 USC Section 523(a)
(2)(A) And Other Grounds For Failure To State A Claim
(Motion filed 5/17/19) (Notice of hearing filed 5/24/19)

Docket 5

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Thomas Joseph Lynch JR

Represented By
Patrick OKennedy

Defendant(s):

Thomas Joseph Lynch

Represented By
Patrick OKennedy

Plaintiff(s):

OC West, LLC

Represented By
Baruch C Cohen

Liberty Financial USA, LCC

Represented By
Baruch C Cohen

Liberty Debt Solution, LLC

Represented By
Baruch C Cohen

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

10:00 AM

8:19-10153 Thomas Joseph Lynch, JR

Chapter 7

Adv#: 8:19-01069 OC West, LLC et al v. Lynch

#18.10

CONT'D STATUS CONFERENCE RE: Complaint For:

1. Nondischargeability Of Debt Pursuant To §§ 523(a)(2)(A), 523(a)(2)(B), 523(a)(4) and 523(a)(6);
2. Denial Of Discharge Pursuant To: §§ 727(a)(2)(A), 727(a)(2)(B), 727(a)(3), 727(a)(4)(A), 727(a)(4)(D), 727(a)(5), and 727(a)(12)(B); And
3. Unfair, Unlawful And Fraudulent Business Practice California Business And Professional Code Section 17200 et seq.
(Complaint filed 4/17/19)

FR: 7-3-19

Docket 1

Tentative Ruling:

Tentative for 7/17/19:

None listed.

Tentative for 7/3/19:

This matter is CONTINUED to July 17, 2019 at 10:00 a.m. to coincide with the hearing on the motion to dismiss. A status report is not required for this continued status conference.

Appearances are excused.

Party Information

Debtor(s):

Thomas Joseph Lynch JR

Represented By
Patrick OKennedy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

10:00 AM

CONT... Thomas Joseph Lynch, JR

Chapter 7

Defendant(s):

Thomas Joseph Lynch Pro Se

Plaintiff(s):

OC West, LLC Represented By
Baruch C Cohen

Liberty Financial USA, LCC Represented By
Baruch C Cohen

Liberty Debt Solution, LLC Represented By
Baruch C Cohen

Trustee(s):

Karen S Naylor (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison

Chapter 11

Adv#: 8:17-01046 Sun Coast Farms LLC v. Harrison et al

#19.00

CONT'D STATUS CONFERENCE Hearing RE: Adversary Complaint To Determine Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(4) And 11 U.S.C. Section 523(a)(2) And Third Party Complaint (Complaint filed 3/24/17) (Third Party Complaint filed 5/9/17) (PTC set at S/C held 10/25/18) **[Third Party Complaint Dismissed on 2/27/19]** **[Holding Date Pending Dismissal Of Action]**

FR: 6-14-17; 12-14-17; 4-19-18; 5-3-18; 10-18-18; 10-25-18; Advanced from 6-6-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING STIPULATION FOR DISMISSAL OF ENTIRE ACTION ENTERED 5-21-19 - (DOCKET NO. [48])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Charles Flowers Harrison

Pro Se

Martha Isabel Montoya

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison

Chapter 11

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones
Sara Tidd

Plaintiff(s):

Sun Coast Farms LLC

Represented By
Bart M Botta

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

11:00 AM

8:16-15205 Stephen Matthew Huerth and Laura Elizabeth Huerth

Chapter 7

#20.00

CONT'D Hearing RE: Objection To Claim:
(Motion filed 4/5/19)

Claim No. 16 Dickey's Barbecue Restaurants, Inc. \$2,090,187.62

FR: 5-1-19; 6-12-19

Docket 51

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION TO STAY PROCEEDINGS PENDING DISTRICT COURT
DECISION ON MOTION TO WITHDRAW REFERENCE ENTERED 6-12-
19 (DOCKET NO. [71])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Stephen Matthew Huerth

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Laura Elizabeth Huerth

Represented By
Michael Jones
Sara Tidd

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael Jones
Leslie K Kaufman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01176 Marshack, Ch 7 Trustee v. Castanon

#21.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For:

1. Breach Of Fiduciary Duty
 2. Conversion
 3. Negligence
 4. Waste of Corporate Assets
- (Complaint filed 9/14/18)
(PTC set at S/C held 12/19/18)

FR: 12-5-18 AT 10:00 a.m.; 12-5-18; 12-19-18

Docket 1

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 18, 2019
AT 10:00 A.M. PER ORDER GRANTING STIPULATION TO CONTINUE
THE PRETRIAL CONFERENCE IN LIGHT OF SETTLEMENT
(DOCKET NO. [36])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Michael E Castanon

Pro Se

Plaintiff(s):

Richard A Marshack, Ch 7 Trustee

Represented By
Marsha A Houston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01064 Marshack v. Castanon et al

#22.00

CONT'D Hearing RE: Motion For Partial Summary Judgment
(Motion filed 5/31/19)

FR: 7-17-19 at 10:00 a.m.

Docket 56

***** VACATED *** REASON: CONTINUED TO AUGUST 14, 2019 AT
11:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE
HEARING ENTERED 6/26/19 (Docket No. [72])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Michael Edward Castanon

Represented By
Rhonda Walker

BeachPointe Investments, Inc.

Represented By
Evan C Borges

George Bawuah

Represented By
Evan C Borges

Jerry Bolnick

Represented By
Evan C Borges

Jonathan Blau

Represented By
Evan C Borges

Joseph Bolnick

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Evan C Borges

Maria Castanon

Pro Se

Kenneth Miller

Represented By
Evan C Borges

Peter Van Petten

Represented By
Evan C Borges

Raymond Midley

Represented By
Evan C Borges

Veronica Marfori

Represented By
Evan C Borges

Plaintiff(s):

Richard A. Marshack

Represented By
Sharon Oh-Kubisch

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

11:00 AM

8:19-10093 Hung Nguyen

Chapter 7

Adv#: 8:19-01070 Marshack v. Nguyen

#23.00

CONT'D Hearing RE: Trustee's Application For Entry Of Judgment Denying Debtor's Discharge Per 11 U.S.C. Section 727 (Motion filed 6/13/19)

FR: 7-17-19 at 10:00 a.m.

Docket 7

Tentative Ruling:

Tentative for 7/16/19 is to DENY.

The Court has reviewed the Trustee's Application for Entry of Judgment Denying Debtor's Discharge per 11 U.S.C. § 727, filed on June 13, 2019 [Dk. 7] ("Application"). The Application is legally insufficient as there is no presentation of the violation of any section of 727, including legal analysis of what specific provisions of 727 the Trustee is utilizing to sustain his objection to the Debtor's discharge. *See, e.g., Cripps v. Life Ins. Co. of N. Am.*, 980 F.2d 1261, 1267 (9th Cir. 1992) ("[N]ecessary facts not contained in the pleadings, and claims which are legally insufficient, are not established by default."); *Beltran v. Beltran*, 182 B.R. 820, 826 (B.A.P. 9th Cir. 1995).

Examining the original Complaint, filed on April 17, 2019, the Court finds that the Complaint lacks specificity in its legal allegations and fails to state a claim upon which relief may be granted.

Appearances are required. Movant is to bring a copy of the Complaint and the Application.

Party Information

Debtor(s):

Hung Nguyen

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

11:00 AM

CONT... Hung Nguyen

Chapter 7

Defendant(s):

Hung Nguyen

Pro Se

Plaintiff(s):

Richard A Marshack

Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

11:00 AM

8:19-10093 Hung Nguyen

Chapter 7

Adv#: 8:19-01071 Lee v. Nguyen

#24.00

STATUS CONFERENCE Hearing RE: Complaint For Nondischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(2)(A) And Objection To Entry Of Discharge Of Debtor's Debt Pursuant To 11 U.S.C. Section 727(a)(4)(A) (Complaint filed 4/18/19) (con't from 10:00 a.m. calendar per order ent. 6/24/19)

Docket 1

Tentative Ruling:

Tentative for 7/17/19:

The Court has received and reviewed the unilateral status report filed on 7/8/19 [Dk. 10], and notes that no responsive pleading has been filed, a default has been entered, and Plaintiff represents that he intends to file a motion to dismiss. Accordingly, this matter is CONTINUED to November 6, 2019 at 11:00 a.m. as a holding date pending the filing and resolution of Plaintiff's motion for default judgment. If the case has not yet been resolved, a status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Hung Nguyen

Represented By
Alex L Benedict

Defendant(s):

Hung Nguyen

Pro Se

Plaintiff(s):

Benjamin Lee

Represented By
Jason K Boss

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, July 17, 2019

Hearing Room 5C

11:00 AM

CONT... Hung Nguyen

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 6C Calendar**

Thursday, July 18, 2019

Hearing Room 6C

10:00 AM

8:19-11459 Mai Taniguchi

Chapter 7

#1.00

Motion for relief from the automatic stay [PERSONAL PROPERTY]

The Golden 1 Credit Union vs. DEBTOR
(Motion filed 6/20/19)

[RE: 2015 Nissan Rogue]

Docket 16

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Mai Taniguchi

Represented By
Joseph L Pittera

Movant(s):

Golden 1 Credit Union

Represented By
Mirco J Haag

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

10:00 AM

8:19-11909 Jose Luis Lopez

Chapter 7

#2.00

Motion for relief from stay [Real Property]

Wells Fargo Bank, National Association As Trustee For Harborview Mortgage Loan Trust, Mortgage Pass-Through Certificates, Series 2006-11 vs. DEBTOR
(Motion filed 6/14/19)

[RE: 734 North Bush Street, Anaheim, California 92805]

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(4) with 4001(a)(3) waiver.

"To obtain relief under §362(d)(4), the court must find three elements to be present. First, debtor's bankruptcy filing must have been part of a scheme. Second, the object of the scheme must be to delay, hinder, or defraud creditors. Third, the scheme must involve either (a) the transfer of some interest in the real property without the secured creditor's consent or court approval, or (b) multiple bankruptcy filings affecting the property. For the court to grant relief under § 362(d)(4), and thus trigger two years of prospective relief as to the subject real property, it must affirmatively find that the three elements above are present." *In re First Yorkshire Holdings, Inc.*, 470 B.R. 864, 870-71 (B.A.P. 9th Cir. 2012). Here, Movant has submitted evidence of a scheme to delay Movant's enforcement rights involving a transfer of an interest without Movant's consent, as well as other bankruptcy filings affecting the property.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

10:00 AM

CONT... Jose Luis Lopez

Chapter 7

Debtor(s):

Jose Luis Lopez

Pro Se

Movant(s):

Wells Fargo Bank, National

Represented By
Wendy A Locke

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

10:00 AM

8:19-11912 Heather J Michael

Chapter 7

#3.00

Motion for relief from the automatic stay [REAL PROPERTY]

U.S. Bank National Association, As Trustee For Citigroup Mortgage Loan Trust Inc.
Mortgage Pass-Through Certificates, Series 2007-AR8 vs. DEBTOR
(Motion filed 6/24/19)

[RE: 9401 Meridian Lane, Garden Grove, California 92841]

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1), § 362(d)(2) and § 362(d)(4) with 4001(a)(3) waiver.

"To obtain relief under §362(d)(4), the court must find three elements to be present. First, debtor's bankruptcy filing must have been part of a scheme. Second, the object of the scheme must be to delay, hinder, or defraud creditors. Third, the scheme must involve either (a) the transfer of some interest in the real property without the secured creditor's consent or court approval, or (b) multiple bankruptcy filings affecting the property. For the court to grant relief under § 362(d)(4), and thus trigger two years of prospective relief as to the subject real property, it must affirmatively find that the three elements above are present." *In re First Yorkshire Holdings, Inc.*, 470 B.R. 864, 870-71 (B.A.P. 9th Cir. 2012). Here, Movant has submitted evidence of a scheme to delay Movant's enforcement rights involving a transfer of an interest without Movant's consent.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

10:00 AM

CONT... Heather J Michael

Chapter 7

Debtor(s):

Heather J Michael

Represented By
Lawrence P Bellomo

Movant(s):

U.S. BANK NATIONAL

Represented By
Wendy A Locke

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison

Chapter 11

Adv#: 8:19-01076 Harrison et al v. Capital One Bank (USA), National Association

#4.00

Hearing RE: Motion for Default Judgment Against Capital One Bank (USA),
National Association
(Motion filed 6/19/19)

Docket 7

Tentative Ruling:

Tentative for 7/18/19 is to DENY without prejudice and VACATE the entry of default.

The Defendant in this matter, Capital One Bank (USA) National Associations ("Defendant"), was not properly served with the complaint. Defendant is an insured depository institution. Rule 7004(h) of the Federal Rules of Bankruptcy Procedure requires that insured depository institutions be served as follows:

(h) **Service of Process on an Insured Depository Institution.** Service on an insured depository institution (as defined in section 3 of the Federal Deposit Insurance Act) in a contested matter or adversary proceeding shall be made by certified mail addressed to an officer of the institution unless—

(1) the institution has appeared by its attorney, in which case the attorney shall be served by first class mail;

(2) the court orders otherwise after service upon the institution by certified mail of notice of an application to permit service on the institution by first class mail sent to an officer of the institution designated by the institution; or

(3) the institution has waived in writing its entitlement to service by certified mail by designating an officer to receive service.

While Defendant was served at the correct address, it was served via first class

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room

5C

11:00 AM

CONT... Charles Flowers Harrison

Chapter 11

mail, not certified mail. None of the exceptions to the certified mail requirement apply here. Accordingly, the Court DENIES the Motion for Default Judgment and VACATES the default improperly entered on June 4, 2019 [Dk. 5]. Plaintiff must properly serve the Complaint and may again seek entry of default and default judgment as appropriate.

Plaintiff is to lodge an order within seven (7) days.

Appearances for this hearing are excused.

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Capital One Bank (USA), National

Pro Se

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones
Sara Tidd

Plaintiff(s):

Charles Flowers Harrison

Represented By
Michael Jones

Martha Isabel Montoya

Represented By
Michael Jones

Axis CP I, LLC

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison

Chapter 11

Adv#: 8:19-01076 Harrison et al v. Capital One Bank (USA), National Association

#5.00

STATUS CONFERENCE Hearing RE: Complaint For:
(1) Declaratory Relief Regarding The Nature, Extent And Validity Of Lien As To Capital One Bank (USA), National Association Pertaining To The Real Property Located At 7537 E. Twinleaf Trail, Orange, California;
(2) Disallow Claim, If Any, And To Remove Lien, If Any, From The Real Property Located At 7537 E. Twinleaf Trail
(Complaint filed 5/1/19)

Docket 1

Tentative Ruling:

Tentative for 7/18/19 is to CONTINUE this matter to October 17, 2019 at 11:00 a.m. to allow Plaintiff to properly serve the complaint and, if appropriate, seek the entry of default and default judgment. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Capital One Bank (USA), National

Pro Se

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison

Chapter 11

Plaintiff(s):

Charles Flowers Harrison

Represented By
Michael Jones

Martha Isabel Montoya

Represented By
Michael Jones

Axis CP I, LLC

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison

Chapter 11

Adv#: 8:19-01077 Harrison et al v. PM Factors, Inc.

#6.00

STATUS CONFERENCE Hearing RE: Complaint For:
(1) Declaratory Relief Regarding The Nature, Extent And Validity Of Lien As To PM Factors, Inc. Pertaining To The Real Property Located At 7537 E. Twinleaf Trail, Orange, California;
(2) Disallow Claim, If Any, And To Remove Lien, If Any, From The Real Property Located At 7537 E. Twinleaf Trail
(Complaint filed 5/1/19)

Docket 1

Tentative Ruling:

Tentative for 7/18/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: December 1, 2019. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: January 31, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: February 20, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison

Chapter 11

Michael Jones
Sara Tidd

Defendant(s):

PM Factors, Inc.

Pro Se

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones
Sara Tidd

Plaintiff(s):

Charles Flowers Harrison

Represented By
Michael Jones

Martha Isabel Montoya

Represented By
Michael Jones

Axis CP I, LLC

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison and Martha Isabel Montoya

Chapter 11

#7.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 12/1416)

FR: 2-2-17; 5-11-17; 12-14-17; 4-19-18; 5-3-18;10-18-18; 10-25-18; 2-21-19; 5-2-19

Docket 1

Tentative Ruling:

Tentative for 7/18/19 is to set a continued status conference date of November 21, 2019 at 11:00 a.m. with a status report due 14 days in advance.

Appearances required.

Tentative for 5/2/19:

Appearances required. The Court will set deadlines for the filing of a plan and disclosure statement.

Tentative for 10/25/18:

The Court is inclined to set the following dates/deadlines:

1. Deadline for filing an amended disclosure statement and plan: December 31, 2018, with a hearing on the adequacy of the amended disclosure statement to take place on February 21, 2019 at 11:00 a.m.
2. A continued status conference: February 21, 2019 at 11:00 a.m.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison and Martha Isabel Montoya
Appearances required.

Chapter 11

Tentative for 5/03/18 is to set a CONTINUED date of October 18, 2018 at 11:00 a.m., with a status report is due 14 days in advance.

Appearances required.

Tentative for 12/14/17:

The Court has received and reviewed the Status Report filed by Debtor on 11/30/17 [Dk. 140] and by Creditor Axis CP I, LLC on 11/30/17 [Dk. 141] and will CONTINUE this matter to April 19, 2018 at 11:00 a.m. A status report is due 14 days in advance.

Appearances for the 12/14/17 hearing are excused.

Tentative for 5/11/17:

The Court will CONTINUE the status conference to coincide with the continued hearing on the Disclosure Statement, presently proposed to be July 13, 2017 at 11:00 a.m.

Tentative for 2/2/17 is to set the following dates/deadlines:

1. March 30, 2017 - deadline to file plan and disclosure statement (as requested by Debtors in their 1/23/17 Status Report [Dk. 32]). The failure to timely file a plan and/or disclosure statement may result in the dismissal or conversion of the case.
2. The Court notes that a bar date of March 20, 2017 has already been established. June 30, 2017 will be the deadline to object to claims.
3. A continued status conference will be held on May 11, 2017 at 11:00 a.m. A status report is due 14 days in advance.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison and Martha Isabel Montoya

Chapter 11

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison and Martha Isabel Montoya

Chapter 11

#8.00

Hearing RE: Second Amended Disclosure Statement Describing Chapter 11 Plan Of Reorganization
(Second Amended D.S. filed 5/23/19)

Docket 296

Tentative Ruling:

Tentative for 7/18/19 is to DENY approval of the Second Amended Disclosure Statement ("DS") for the reasons stated in the Comments of the United States Trustee filed on July 11, 2019 [Dk. 300].

In addition to the issues identified by the United States Trustee, the Court notes that the DS treats the claims held by PM Factors and Capital One ("Judgment Creditors") as unsecured; however, Debtors have not yet established that these liens may be treated as such. There are two adversary proceedings pending to determine the secured status of these liens. The Plan and DS do not account for the possibility that the Judgment Creditors' liens are determined to be secured. The DS represents that stripping these liens is integral to the settlement with Axis, and does not provide for an alternative treatment if these liens are not stripped. Without an alternative treatment that accounts for the continued secured status of the Judgment Liens, the DS does not provide adequate information, and must be denied.

The Court is inclined to set a deadline to file an amended Plan and DS for after the resolution of the two adversary proceedings regarding the Judgment Creditors' liens.

Appearances required.

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison and Martha Isabel Montoya
Michael Jones
Sara Tidd

Chapter 11

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:17-12660 Chrestotes, Inc

Chapter 11

#9.00

CONT'D POST-CONFIRMATION STATUS CONFERENCE Hearing RE: (1)
Case Management Conference And (2) Requiring Status Report
(Petition filed 7/1/17)
(Set at Confirmation Hearing on 10/25/18)

FR: 8-17-17; 1-11-18; 3-8-18; 4-5-18; 5-31-18; 7-12-18; 8-2-18; 10-18-18;
10-25-18; 4-18-19

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 9, 2020 AT
11:00 A.M. PER ORDER ON STIPULATION TO CONTINUE ENTERED
ON 7-9-19 - (Docket No. [279])**

Tentative Ruling:

Party Information

Debtor(s):

Chrestotes, Inc

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:18-14277 Progressive Solutions, Inc.

Chapter 11

Adv#: 8:19-01068 Progressive Solutions, Inc. v. City of Oakland et al

#10.00

STATUS CONFERENCE Hearing RE: Complaint For:
1. Avoidance And Recovery Of Preferential Transfer; And
2. Objection To Claim
(Complaint filed 4/15/19)

Docket 1

Tentative Ruling:

Tentative for 7/18/19:

Plaintiff's counsel is to lodge an order pursuant to the Stipulation filed 7/11/19 [Dk. 7] dismissing the case.

Appearances for the 7/18/19 hearing are excused.

Party Information

Debtor(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

Defendant(s):

City of Oakland

Pro Se

Michael Stanley

Pro Se

Plaintiff(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:18-14277 Progressive Solutions, Inc.

Chapter 11

#11.00

Hearing RE: Approval Of Debtor's Chapter 11 Disclosure Statement Dated May 20, 2019 In Support Of Debtor's Plan Of Reorganization (D.S. filed 5/20/19)

Docket 0

Tentative Ruling:

Tentative for 7/17/19 is to DENY approval of the Disclosure Statement and set an OSC why this case should not be converted or dismissed on August 15, 2019 at 11:00 a.m.

In addition to the issues raised by the United States Trustee and the City of Oakland, this plan cannot be confirmed because Debtor has failed comply with its statutory deadlines as a small business debtor.

This Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). See Petition, filed 11/21/18 [Dk. 1, pg. 2]. § 1121(e) requires debtor to file the plan and disclosure statement by no later than 300 days after the petition date and obtain confirmation by no later than 45 days after filing the plan, unless an extension is obtained prior to the expiration of the existing deadline. See §§ 1121(e), 1129(e). In this case, the Petition Date was November 21, 2018. The Plan and Disclosure Statement were filed on May 20, 2019, well before the 300-day deadline expires on September 17, 2019. However, Debtor set the hearing on the Disclosure Statement on July 17, 2019, more than 45 days after the Plan and Disclosure Statement were filed. Debtor thus has failed to meet the 45-day statutory deadline, which expired on July 4, 2019; Debtor did not seek any extension prior to the deadline's expiration, nor did Debtor request any accommodation from the Court to facilitate a hearing and determination prior to expiration of the deadline.

It appears to be well settled that the 45-day confirmation deadline is a hard

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room

5C

11:00 AM

CONT... **Progressive Solutions, Inc.**

Chapter 11

deadline; failure to confirm a plan by this date is a bar to confirmation. See *In re Star Ambulance Service, LLC*, 2015 WL 5025840 (Bankr. S.D. Tex. Aug. 24, 2015). Courts are split regarding whether failure to obtain confirmation is cause for mandatory dismissal of the case under §1112(b), see *In re Mojica*, 2013 Bankr. LEXIS 2074 (Bankr. D.P.R. May 20, 2013); or whether the case may proceed once a new plan has been filed, see *In re Crossroads Ford, Inc.*, 65 C.B.C.2d 899, 453 B.R. 764 (Bankr. D. Neb. 2011). Thus, the Court is inclined to set an Order to Show Cause why this case should not be converted or dismissed on **August 15, 2019 at 11:00 a.m.** **The parties are to provide briefing** on whether failure to comply with the 45-day statutory deadline constitutes cause for mandatory dismissal in this case by no later than **August 1, 2019**. Parties should limit their briefs to this issue but may address any other necessarily related issues.

Appearances required.

Party Information

Debtor(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:18-14277 Progressive Solutions, Inc.

Chapter 11

#12.00

Hearing RE: Application For Payment Of Interim Fees And/Or Expenses For The Period From November 21, 2018 Through May 31, 2019
(Application filed 6/6/19)

**[RE: LEWIS R. LANDAU - Attorney For Debtor And Debtor-In-Possession]
[Fees: \$26,482.50; Expenses: \$488.70]**

Docket 50

Tentative Ruling:

Tentative for 7/18/18:

The Court is inclined to APPROVE the requested fees and expenses on an interim basis; however, while the Court will permit Applicant to draw down on the \$4,726.30 (representing the outstanding amount from the original retainer), it will not approve further payment beyond this amount at this time without further order of the Court. Moreover, Counsel is to return any and all funds received post-petition, including any checks or other instruments.

The Application does not contain the following information, which is required under the Local Rules:

1. A description of "the general operations of the debtor, stating whether the business of the debtor, if any, is being operated at a profit or loss [and] whether the business has sufficient operating cash flow" as required by LBR 2016-1(a)(1)(A)(i).
2. "[T]he amount of money on hand in the estate and the estimated amount of other accrued expenses of administration" as required by LBR 2016-1(a)(1)(A)(iii).
3. "A statement that the applicant has reviewed the requirements of this rule and that the application complies with this rule" as required by LBR

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

**CONT... Progressive Solutions, Inc.
2016-1(a)(1)(K).**

Chapter 11

Applicant is to submit an order within seven (7) days.

Party Information

Debtor(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:18-14277 Progressive Solutions, Inc.

Chapter 11

#13.00

Hearing RE: Application For Payment Of Interim Fees And/Or Expenses For The Period From March 19, 2019 Through April 30, 2019
(Application filed 6/6/19)

**[RE: LAW OFFICES OF PAUL KLEVIN - Special Counsel To Debtor]
[Fees: \$17,610; Expenses: \$133.70]**

Docket 51

Tentative Ruling:

Tentative for 7/18/18:

The Court is inclined to APPROVE the requested fees and expenses on an interim basis; however, it will not approve further payment at this time without further order of the Court. Moreover, Counsel is to return any and all funds received post-petition, including any checks or other instruments.

The Application does *not* contain the following information, which is required under the Local Rules:

1. A description of "the general operations of the debtor, stating whether the business of the debtor, if any, is being operated at a profit or loss [and] whether the business has sufficient operating cash flow" as required by LBR 2016-1(a)(1)(A)(i).
2. "[T]he amount of money on hand in the estate and the estimated amount of other accrued expenses of administration" as required by LBR 2016-1(a)(1)(A)(iii).
3. "A statement that the applicant has reviewed the requirements of this rule and that the application complies with this rule" as required by LBR 2016-1(a)(1)(K).

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

CONT... Progressive Solutions, Inc. Chapter 11

4. " A description of the professional education and experience of each of the individuals rendering services, including identification of the professional school attended, year of graduation, year admitted to practice, publications or other achievements, and explanation of any specialized background or expertise in bankruptcy-related matters" as required by LBR 2016-1(a)(1)(H).

Applicant is to submit an order within seven (7) days.

Party Information

Debtor(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:18-14277 Progressive Solutions, Inc.

Chapter 11

#14.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 11/21/18)

FR: 1-10-19; 6-13-19

Docket 1

Tentative Ruling:

Tentative for 7/18/19 is to set a continued status conference date of November 21, 2019 at 11:00 a.m. with a status report due 14 days in advance.

Appearances required.

Tentative for 6/13/19:

The Court has received and reviewed the status report filed on May 30, 2019 [Dk. 49], and will CONTINUE this matter to July 18, 2019, at 11:00 a.m. to coincide with the hearing on the disclosure statement.

Appearances are excused. No hearing will occur.

Tentative for 1/10/19 is to set the following dates/deadlines:

1. May 20, 2019: Last date to file a plan and disclosure statement.
2. March 15, 2019: Last date to file claims ("Claims Bar Date").
3. January 14, 2019: Last date for Debtor to serve notice of the Claims Bar Date.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

CONT... Progressive Solutions, Inc. Chapter 11

4. April 15, 2019: Last date to file objections to claim.
5. April 15, 2019: Last date to file avoidance actions.

The Debtor is specifically advised that the failure to timely file a plan or disclosure statement may result dismissal or conversion.

Appearances required.

Party Information

Debtor(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 6C Calendar**

Thursday, July 18, 2019

Hearing Room 6C

11:00 AM

8:19-11889 Invensure Insurance Brokers, Inc.

Chapter 11

#15.00

Hearing RE: Motion To Approve Insider Compensation
(Motion filed 6/27/19)

Docket 33

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Invensure Insurance Brokers, Inc.

Represented By
Carol Chow

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:19-11889 Invensure Insurance Brokers, Inc.

Chapter 11

#16.00

STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 5/16/19)

Docket 0

Tentative Ruling:

Tentative for 7/18/19 is to set the following dates/deadlines:

The Court will substantially adopt the deadlines proposed by Debtor in its status report filed 7/3/19 [Dk. 35]:

1. Plan and Disclosure Statement: September 13, 2019.
2. Claims Bar Date: September 30, 2019, with the notice to be served by no later than July 25, 2019.
3. Deadline for objections to claims/avoidance actions: October 30, 2019.
4. A continued status conference hearing: November 7, 2019 at 11:00 a.m. with a status report due 14 days in advance.

Note that the failure to meet any of these deadlines may result in the imposition of monetary and/or non-monetary sanctions, including the dismissal or conversion of the case.

Debtor's counsel is to lodge an order within seven (7) days.

Party Information

Debtor(s):

Invensure Insurance Brokers, Inc.

Represented By
Carol Chow

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:19-12448 Lightning Technology, Inc.

Chapter 11

#17.00

Hearing RE: Motion For Order Compelling Turnover Of Property Of The Estate
(Motion filed 7/8/19)
(Set per Order Entered 7/9/19)

Docket 28

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lightning Technology, Inc.

Represented By
Bert Briones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 18, 2019

Hearing Room 5C

11:00 AM

8:19-12448 Lightning Technology, Inc.

Chapter 11

#18.00

Hearing RE: Debtor And Debtor-In-Possession's Motion For Order: Pursuant To 11 U.S.C. Section 366; (A) Prohibiting Utility Providers From Altering, Refusing Or Discontinuing Service, (B) Deeming Utilities Adequately Assured Of Future Performance, And (C) Establishing Procedures For Resolving Requests For Additional Adequate Assurance Of Payment
(Motion filed 7/11/19)
(OST Entered 7/11/19)

Docket 42

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lightning Technology, Inc.

Represented By
Bert Briones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 25, 2019

Hearing Room 5C

10:00 AM

8:19-11949 Joanna Marlene Ponce

Chapter 7

#1.00

Motion for relief from the automatic stay [Personal Property]

JP Morgan Chase Bank, N.A. vs. DEBTORS
(Motion filed 6/28/19)

[RE: 2015 Nissan Rogue - VIN No.: JN8AS5MT6FW669349]

[Tele. appr., Josephine E. Salmon, repr., JPMorgan Chase Bank]

Docket 25

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Joanna Marlene Ponce

Represented By
William Huestis

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 25, 2019

Hearing Room 5C

11:00 AM

8:16-10424 California Hispanic Commission on Drug and Alcohol

Chapter 11

#2.00

CONT'D POST-CONFIRMATION STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 2/2/16) (Post-Confirmation S/C set Per Order Entered on 7/24/17)

FR: 3-31-16; 6-30-16; 9-29-16; 10-20-16; 11-3-16; 12-15-16; 3-16-17; 6-8-17; 6-19-17; 7-24-17; 1-11-18; 6-14-18; 6-28-18; 8-2-18; 1-24-19

Docket 0

Tentative Ruling:

Tentative for 7/25/19:

The Court has received and reviewed the status report filed by the Litigation Trustee Thomas Casey on 7/11/19 [Dk. 729]. The post-confirmation status conference is continued to January 9, 2020, at 11:00 a.m.

Appearances excused.

Tentative for 1/24/19:

The Court has received and reviewed the status report filed by the Litigation Trustee Tom Casey on 1/10/19 [Dk. 498]. The post-confirmation status conference is continued to July 25, 2019, at 11:00 a.m.

Appearances excused.

Tentative for 8/02/18:

The Court has received and reviewed the status report filed by the Litigation Trustee Tom Casey on 7/19/18 [Dk. 490]. The post-confirmation status

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 25, 2019

Hearing Room 5C

11:00 AM

CONT... California Hispanic Commission on Drug and Alcohol
conference is continued to January 24, 2019, at 11:00 a.m.

Chapter 11

Appearances excused.

Tentative for 1/11/18:

The Court has received and reviewed the status reports filed by the Litigation Trustee Tom Casey on 12/27/17 [Dk. 472] and by the Reorganized Debtor on 12/27/17 [Dk. 473]. The post-confirmation status conference is continued to June 14, 2018, at 11:00 a.m.

Appearances excused.

Party Information

Debtor(s):

California Hispanic Commission on

Represented By
Michael R Totaro
Linda F Cantor ESQ
Victoria Newmark
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 25, 2019

Hearing Room 5C

11:00 AM

8:17-11743 Cecilio Romero Murrietta and Irma Bonilla Murrietta

Chapter 11

#3.00

Hearing RE: Motion to Extend Time To File Plan And Disclosure Statement
(Motion filed 6/28/19)

Docket 234

Tentative Ruling:

Tentative 7/25/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Cecilio Romero Murrietta

Represented By
Andrew S Bisom

Joint Debtor(s):

Irma Bonilla Murrietta

Represented By
Andrew S Bisom

Trustee(s):

David M Goodrich (TR)

Represented By
Jeffrey I Golden
Beth Gaschen
Ryan W Beall

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 25, 2019

Hearing Room 5C

11:00 AM

8:18-14425 Wallace Raymond Steffen, Jr

Chapter 11

#4.00

Hearing RE: Approval Of First Disclosure Statement
(D.S. filed 5/30/19)

**[Tele. appr., Kelly M. Raftery, repr., Nationstar Mortgage LLC, dba Mr.
Cooper]**

Docket 76

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wallace Raymond Steffen Jr

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 25, 2019

Hearing Room 5C

11:00 AM

8:18-14425 Wallace Raymond Steffen, Jr

Chapter 11

#5.00

Hearing RE: First Interim Application For Allowance Of Compensation And Reimbursement Of Expenses Incurred As Counsel For The Debtor:
Period: 3/15/2019 to 6/24/2019
(Application filed 6/26/19)

[RE: ANERIO V. ALTMAN, Debtor's Attorney]

[Fees: \$13,650.00, Expenses: \$378.49]

[Tele. appr., Kelly M. Raftery, repr., Nationstar Mortgage LLC, dba Mr. Cooper]

Docket 85

Tentative Ruling:

Tentative for 7/25/19 is to DENY without prejudice, as Applicant has failed to comply with requirements set forth in the local and federal rules for fee applications, including the following:

1. No client declaration, as required, by LBR 2016-1(a)(1)(J).
2. There is another professional, Buckingham, Doolittle and Burroughs, approved by order entered 6/3/19 [Dk. 80]. However, counsel did not file a 45-day interim notice of hearing in compliance with LBR 2016-1(a)(2)(A)
3. "[T]he amount of ... other accrued expenses of administration" is not listed as required by LBR 2016-1(a)(1)(A)(iii).

In addition, the billing entries are vague. Due to the format, it is difficult to determine whether the actual task performed was reasonable. Examples

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, July 25, 2019

Hearing Room 5C

11:00 AM

CONT... Wallace Raymond Steffen, Jr
(non-exhaustive and illustrative only):

Chapter 11

3/27/19 AA	Main Case	Time spent on scheduling	\$300	
.40	\$120			
4/8/19 AA	Main Case	Handling the Notice of the Proof of Claim	\$300	
.60	\$180.00			
6/12/19 AA	Main Case	Time spent on the phone with David	\$300	
.20	\$60			
6/18/19 AA	Main Case	Time spent on the phone with Wallace	\$300	
1.1	\$330			
5/7/19 AA	MTE	Time spent on letter to David	\$300	.5
\$150				
5/14/19 AA	MTE	MTE for Dreschler	\$300	2.9
			\$870	

Accordingly, the Court is inclined to DENY the Application. Applicant may file an amended fee application that resolves the foregoing issues.

Appearances are excused.

Party Information

Debtor(s):

Wallace Raymond Steffen Jr

Represented By
Anerio V Altman

Movant(s):

Anerio V Altman

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Tuesday, July 30, 2019

Hearing Room 5C

9:30 AM

8:15-15521 Johnnie Rae Carlin

Chapter 7

Adv#: 8:16-01049 Citibank, N.A. v. Carlin

#1.00

CONT'D TRIAL RE: Plaintiff Citibank, N.A.'s Complaint For Determination Of Nondischargeability Of Debt Pursuant To 11 U.S.C. Section 523(A)(2)(A) (Complaint filed 2/19/16)
(PTC set at S/C held 5/11/16)
(Trial set at PTC held 10/4/17)

FR: 5-11-16; 10-19-16; 12-14-16; 4-19-17; 7-12-17; 8-13-17; 10-4-17; 1-29-18; 4-24-18; 9-25-18; 2-26-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR; ORDER APPROVING PARTIES' JOINT STIPULATED JUDGMENT FOR DEBT TO BE NON-DISCHARGEABLE ENTERED 6/21/19 (Docket No. [89])**

Party Information

Debtor(s):

Johnnie Rae Carlin

Represented By
Steven A Alpert

Defendant(s):

Johnnie Rae Carlin

Represented By
David Brian Lally

Plaintiff(s):

Citibank, N.A.

Represented By
Daniel H Wu

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

10:00 AM

6:19-14100 Eyvette L Williams

Chapter 7

#1.00

Law Offices of Bruce P. Needleman - movant attorney

Motion for Relief from Stay

Kinecta Federal Credit Union vs. DEBTOR
(Motion filed 6/26/19)

Re: 2016 KIA OPTIMA-VIN: 5XXGU4L33GG0222731

EH_____

Docket 8

Tentative Ruling:

Tentative for 8/6/19 is to DENY for improper service. Alaska USA FCU, the entity scheduled by Debtor as lienholder, was not served as required by LBR 4001-1(c)(1)(C)(iv).

Appearances required.

Party Information

Debtor(s):

Eyvette L Williams

Represented By
Neil R Hedtke

Movant(s):

Kinecta Federal Credit Union

Represented By
Bruce P. Needleman

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

10:00 AM

6:19-14109 David B Jacquez

Chapter 7

#2.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

TD Auto Finance LLC vs. DEBTOR, Lynda Bui, trustee
(Motion filed 7/11/19)

Re: 2018 FORD MUSTANG; VIN: 1FA6P8CF8J5165955

EH_____

(Tele. appr. Sheryl K. Ith, rep. creditor TD Auto Finance, LLC)

Docket 14

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

David B Jacquez

Represented By
Paul Y Lee

Movant(s):

TD Auto Finance LLC

Represented By
Sheryl K Ith

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

10:00 AM

CONT... David B Jacquez

Jennifer H Wang

Chapter 7

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

10:00 AM

6:19-14932 Samuel Jeffrey Scott

Chapter 7

#3.00

L/O of William E. Windham - movant attorney

Motion for relief from stay

Gordon Coop vs Debtor
(Motion filed 7/11/19)

RE: 27478 Enterprise Dr. W. Temecula 92590

EH ____.

Docket 9

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver and annulment as requested.

Movant has provided evidence that its action in serving the Three-Day Notice to Quit after Debtor's bankruptcy case was filed was taken without knowledge of the automatic stay. Further, Debtor has not provided any evidence that annulment is not warranted. Pursuant to 11 U.S.C. § 362(g), debtor bears the burden of proof on this issue. *See also Souang v. Fularon*, 2011 Bankr. LEXIS 4335 (9th Cir. BAP 2011) ("[T]he debtor bears the ultimate burden of proving that the request for retroactive relief from the stay should be denied.").

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

10:00 AM

CONT... Samuel Jeffrey Scott

Chapter 7

Debtor(s):

Samuel Jeffrey Scott

Pro Se

Movant(s):

Gordon Coop

Represented By
William E Windham

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

10:00 AM

6:19-15134 Charles Michael Long and Sandra Jean Long

Chapter 7

#4.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for relief from stay

First Investors Financial Services, Inc. vs DEBTOR
(Motion filed 7/12/19)

RE: 2016 CHEVROLET TRAX VIN 3GNCJLSB9GL279205

EH ____

(Tele. appr. Sheryl K. Ith, rep. creditor, First Investors Fin. Serv.)

Docket 7

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Charles Michael Long

Represented By
Alexander Pham

Joint Debtor(s):

Sandra Jean Long

Represented By
Alexander Pham

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

10:00 AM

CONT... Charles Michael Long and Sandra Jean Long

Chapter 7

Movant(s):

First Investors Financial Services,

Represented By
Jennifer H Wang

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

10:00 AM

6:19-15313 Francisco Laureano-Gonzalez

Chapter 7

#5.00

Law Offices of Vincent V. Frounjian, P.C. - movant attorney

Motion for Relief from Stay

American Honda Finance Corporation vs. DEBTOR, Larry D. Simons, chapter 7 trustee
(Motion filed 7/9/19)

Re: 2018 HONDA CIVIC, VIN: 2HGF C2F7 5JH5 24275

Docket 8

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Francisco Laureano-Gonzalez

Represented By
Marlin Branstetter

Movant(s):

AMERICAN HONDA FINANCE

Represented By
Vincent V Frounjian

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

10:00 AM

CONT... Francisco Laureano-Gonzalez

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

10:00 AM

6:19-15385 Jennifer Acosta

Chapter 7

#6.00

Sissac Legal Group P.C. - movant attorney

Motion for Relief from Stay

Financial Services Vehicle Trust vs. DEBTOR
(Motion filed 7/9/19)

Re: 2018 BMW X3 xDrive30i Sport Utility 4D

EH_____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jennifer Acosta

Pro Se

Movant(s):

Financial Services Vehicle Trust

Represented By
Cheryl A Skigin

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

10:00 AM

CONT... Jennifer Acosta

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

10:00 AM

6:19-15566 Jesse Olivares

Chapter 7

#7.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

TD Auto Finance LLC vs. DEBTOR, Lynda Bui, trustee
(Motion filed 7/3/19)

Re: 2017 FORD F-250 SUPER DUTY VIN 1FT7W2BTXHED32123

EH_____

(Tele. appr. Sheryl K. Ith, rep. creditor, TD Auto Finance LLC)

Docket 7

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jesse Olivares

Represented By
Andrew Nguyen

Movant(s):

TD Auto Finance LLC

Represented By
Jennifer H Wang

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

10:00 AM

CONT... Jesse Olivares

Chapter 7

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

11:00 AM

6:16-20916 Chad M Cedotal and Gina M Rico

Chapter 7

#8.00

Hrg. on Trustee's Final Report; Applications for Compensation

EH_____

(Tele. appr. Lynda T. Bui, rep. Ch 7 Trustee)

Docket 0

Tentative Ruling:

Tentative for 8/06/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Chad M Cedotal

Represented By
Thomas Shanner
Arnold H. Wuhrman

Joint Debtor(s):

Gina M Rico

Represented By
Thomas Shanner
Arnold H. Wuhrman

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

11:00 AM

6:19-13251 David Henry Hilton, Jr.

Chapter 7

#9.00

Hrg. on creditor, LaToya Redd's Motion filed 6/18/19 Objecting to Debtor's List of Exemptions

EH_____

(Cont. from 7/16/19)

(Tele. appr. LaToya S. Reed, rep. LaToya S. Reed)

Docket 9

Tentative Ruling:

Tentative for 8/06/19:

None listed.

Tentative for 7/16/19:

This matter is CONTINUED to August 6, 2019 at 11:00 a.m. No hearing will occur on 7/16/19. Appearances are excused.

Party Information

Debtor(s):

David Henry Hilton Jr.

Represented By
Jenny L Doling
Summer M Shaw

Movant(s):

LaToya S. Redd

Pro Se

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

11:00 AM

6:19-13634 Nicole Rae Romero and Jason Travis Romero

Chapter 7

#10.00

Hrg. on Debtors' Motion filed 6/10/19 to Avoid Lien California Business Bureau, Inc./ Freedom Mortgage /The HERO Program with California Business Bureau, Inc.

EH_____

Docket 11

Tentative Ruling:

Tentative is to CONTINUE to 9/4/19 at 11:00 a.m. to allow Movant to effect proper service on the junior consensual lienholder, The Hero Program.

LBR 4003-2(C)(2) requires that the motion, notice, and supporting documents be served on any other holder of a lien or encumbrance against the subject property. However, it appears that the junior consensual lienholder, The Hero Program, was not served. Movant is instructed to serve the appropriate papers on The Hero Program in accordance with LBR 4003-2(C)(2), and to serve notice of the continued hearing date in accordance with LBR 9013-1.

If this service defect is corrected and no further opposition is filed, the Court is inclined to grant the Motion. The Opposition filed on June 18, 2019 [DK. 13] does not challenge the valuation of the property or any of the liens; it only challenges the inclusion of the junior consensual lienholder's lien value in the calculation for whether Debtors' exemption is impaired. However, the plain language of the statute contemplates inclusion of all liens that are not to be avoided, even junior consensual liens. *See, Moldo v. Charnock (In re Charnock)*, 318 B.R. 720, 727 (B.A.P. 9th Cir. 2004) (permitting full avoidance of a judicial lien notwithstanding that it was a junior consensual lien that increased the total liens to impair the Debtor's exemption, following the plain meaning of the statute in the face of competing policy arguments); *see also In re Hanger*, 217 B.R. 592 (BAP 9th Cir. 1997), *aff'd* 196 F.3d 1292 (9th Cir.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

11:00 AM

CONT... Nicole Rae Romero and Jason Travis Romero Chapter 7

1999) (requiring avoidance of the most junior *involuntary* liens first and excluding junior liens which have been already been avoided from the impairment calculation).

Appearances are excused for the 8/6/19 hearing.

Party Information

Debtor(s):

Nicole Rae Romero

Represented By
Duane P Booth

Joint Debtor(s):

Jason Travis Romero

Represented By
Duane P Booth

Movant(s):

Nicole Rae Romero

Represented By
Duane P Booth
Duane P Booth
Duane P Booth

Jason Travis Romero

Represented By
Duane P Booth

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

11:00 AM

6:19-14501 Manuel Angel Lian

Chapter 7

#11.00

Hrg. on Order to Show Cause for failure to make Installment payments

EH_____

Docket 0

Tentative Ruling:

Tentative for 8/06/19 is to DISMISS case for failure to make installment payments.

Appearances required.

Party Information

Debtor(s):

Manuel Angel Lian

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

1:30 PM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#12.00

Hrg. on creditor, ROC Funding Group LLC Motion filed 7/1/19 for Leave to File Late Proof of Claim

EH_____

Docket 183

Tentative Ruling:

Tentative for 8/6/19 is to GRANT:

Note: Debtor does not oppose the granting of the motion. See Non-Opposition, Dk. 199, filed 7/23/19. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

Movant(s):

ROC Funding Group, LLC

Represented By
Scott A Schiff

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#13.00

Hrg. on Debtor's motion filed 11/21/18 for approval of chapter 11 Disclosure Statement
(Cont. from 6/11/19)

EH_____

Docket 53

Tentative Ruling:

Tentative for 8/6/19:

The Court has reviewed and considered all pleadings related to the Second Amended Disclosure Statement, including the Second Amended Disclosure Statement [Dk. 158] ("DS") and Plan [Dk. 156] ("Plan") filed on 6/25/19 [Dk. 158], the Opposition [Dk. 165] ("Opposition") filed by Community Valley Bank ("CVB") on 7/23/19, and the Reply to CVB's Opposition [Dk. 171] ("Reply") filed on 7/30/19.

The Opposition filed by CVB is well taken. The Plan does not meet the standards for confirmation under 11 U.S.C. § 1129(a)(7). The Plan cannot be crammed down over CVB's objection because the Plan is not "fair and equitable" to CVB. The Plan is not feasible under 11 U.S.C. § 1129(a)(11).

Appearances required.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

1:30 PM

CONT... Investment Group, LLC

Chapter 11

Movant(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#14.00

Hrg. on Chapter 11 Status Conference

(Cont. from 7/16/19)

EH_____

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 6, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#15.00

Hrg. on Debtor's Motion filed 7/16/19 for Partial Reconsideration and Modification of the Order Regarding Secured Status of Liens

EH_____

Docket 163

Tentative Ruling:

Tentative for 8/6/19:

The Motion, if really a Rule 60(b) motion, should be denied because it does not meet the standards for reconsideration under Rule 60(b). If, however, the Motion is a motion for clarification of the May 24, 2019 Order, it is premature as the Motion contemplates that a plan providing for a 30-year payout to CVB will be approved. This has not happened as of yet. The hearing with respect to the disclosure statement for such a plan is scheduled concurrently with this Motion; however, it is unlikely that the disclosure statement will be approved at this time.

Appearances required.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

Movant(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-12524 Elson Angeles Bongon and Christina Elena Bongon

Chapter 7

#1.00

Hrg. on approval of reaffirmation Agreement Between Debtors and Navy Federal Credit Union, in the amount of \$13,565.20

Re: 2014 Hyundai Elantra

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Elson Angeles Bongon

Represented By
Theresa Hana

Joint Debtor(s):

Christina Elena Bongon

Represented By
Theresa Hana

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-12524 Elson Angeles Bongon and Christina Elena Bongon

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement filed 6/26/19 Between Debtors and Navy Federal Credit Union, in the amount of \$13,152.11

Re: 2014 Hyundai Sonata

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Elson Angeles Bongon

Represented By
Theresa Hana

Joint Debtor(s):

Christina Elena Bongon

Represented By
Theresa Hana

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-12933 Nicole N Glover

Chapter 7

#3.00

Hrg. on approval of Reaffirmation Agreement filed 7/15/19 Between Debtor and Ally Bank, in the amount of \$7,915.80

Re: 2014 Nissan Sentra

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nicole N Glover

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-13303 Roberta Louise McCord

Chapter 7

#4.00

Hrg. on Approval of Reaffirmation Agreement Between Debtor and Hyundai Capital America in the amount of \$9,866.77

Re: 2013 Hyundai Elantra

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Roberta Louise McCord

Represented By
Daniel King

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-13303 Roberta Louise McCord

Chapter 7

#5.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Aqua Finance, Inc., in the amount of \$8,104.27

Re: Household goods

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Roberta Louise McCord

Represented By
Daniel King

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-13430 Clara Juarez Stuart

Chapter 7

#6.00

Hrg. on approval of Reaffirmation Agreement filed 7/3/19 Between Debtor and Santander Consumer USA Inc., in the amount of \$23,008.32

Re: 2018 Nissan Kicks

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Clara Juarez Stuart

Represented By
Marlin Branstetter

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-13460 Monica Alicia Pitts

Chapter 7

#7.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation, in the amount of \$17,168.52

Re: 2016 Toyota RAV4

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Monica Alicia Pitts

Pro Se

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-13660 Michelle Therese Johnston-Swanson

Chapter 7

#8.00

Hrg on Approval of Reaffirmation Agreement Between Debtor and Consumer Portfolio Services in the amount of \$13,204.22

Re: 2016 Kia Rio

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michelle Therese Johnston-Swanson

Represented By
Michael E Clark

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-14385 Flovonne M Henry

Chapter 7

#9.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and SkyOne Federal Credit Union, in the amount of \$6,677.56

Re: 2013 Kia Optima

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Flovonne M Henry

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-14385 Flovonne M Henry

Chapter 7

#10.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and SkyOne Federal Credit Union, in the amount of \$6,807.12

Re: 2013 Kia Optima

(2013 Kia Optima crossed w/signature loan)

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Flovonne M Henry

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-15171 James Raymond Richardson

Chapter 7

#11.00

Hrg. on approval of Reaffirmation Agreement filed 7/10/19 Between Debtor and Ally Bank, in the amount of \$23,745.26

Re: 2011 GMC Yukon XL

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Raymond Richardson	Pro Se
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Trustee(s):

Robert Whitmore (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-15171 James Raymond Richardson

Chapter 7

#11.10

Hrg. on approval of Reaffirmation filed 7/26/19 Between Debtor and Ally Bank,
in the amount of \$9,610.18

Re: 2013 Volkswagen Passat

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Raymond Richardson

Pro Se

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-15233 Juliette Richardson

Chapter 7

#12.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation, in the amount of \$7,854.21

Re: 2014 Toyota Camry

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juliette Richardson

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-15337 Hector Zapien Cano and Elizabeth Cano

Chapter 7

#13.00

Hrg on Approval of Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation in the amount of \$15,445.58

Re: 2017 Toyota Tacoma

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hector Zapien Cano

Represented By
Earl Robertson III

Joint Debtor(s):

Elizabeth Cano

Represented By
Earl Robertson III

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-15948 Corrina Escajeda

Chapter 7

#14.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Partners
Federal Credit Union, in the amount of \$27,464.79

Re: 2019 Kia Optima

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Corrina Escajeda

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

10:00 AM

6:19-15948 Corrina Escajeda

Chapter 7

#14.10

Hrg. on approval of Reaffirmation Agreement filed 7/19/19 Between Debtor and Tustin Community Bank, in the amount of \$5,460.05

Re: 2012 Chevy Malibu

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Corrina Escajeda

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

1:30 PM

6:17-17601 Deborah McKay

Chapter 7

Adv#: 6:18-01056 Whitmore v. McKay V et al

#23.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against Alexander H. McKay V, Alexander H. McKay V as Trustee of the Alexander McKay V Living Trust. (Charge To Estate). (1) Determine that Property is Property of the Bankruptcy Estate; (2) Avoidance of Avoidable Transactions; and (3) To Recover Avoided Transactions Nature of Suit: (14 (Recovery of money/property - other)),(91 (Declaratory judgment))

(Cont. from 5/1/19)

EH_____

Docket 1

***** VACATED *** REASON: Cont. to 11/6/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Deborah McKay

Represented By
Natalie A Alvarado

Defendant(s):

Alexander H. McKay V as Trustee

Pro Se

Alexander H. McKay V

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Franklin C Adams

Trustee(s):

Robert Whitmore (TR)

Represented By
Franklin C Adams

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

1:30 PM

CONT... Deborah McKay

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

1:30 PM

6:18-16626 Judy Zhuang

Chapter 7

Adv#: 6:18-01217 Liao v. Zhuang

#24.00

Hrg on Defendant's Motion filed 6/27/19 for Withdrawal of Admissions under Federal Rule of Civil Procedure 36(b)

EH _____

Docket 61

Tentative Ruling:

Tentative for 8/07/19:

The Court is inclined to GRANT the motion and issue a new scheduling order, extending all previously established dates/deadlines.

Appearances required.

Party Information

Debtor(s):

Judy Zhuang

Represented By
Todd L Turoci

Defendant(s):

Judy Zhuang

Represented By
Todd L Turoci

Plaintiff(s):

Chih Ling Liao

Represented By
Sam X J Wu

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

1:30 PM

6:19-10980 Wesley L Stevens

Chapter 7

Adv#: 6:19-01078 Main Credit Corporation v. Stevens et al

#25.00

STATUS CONFERENCE re: Complaint by Main Credit Corporation against Wesley L Stevens, Vanessa Lyn Stevens - §§ 523(a)(2), 523(a)(4), 523(a)(6)

EH_____

Docket 1

Tentative Ruling:

Tentative for 8/7/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: January 17, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: March 13, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: April 15, 2020 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Wesley L Stevens

Represented By
Neil R Hedtke

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 7, 2019

Hearing Room 126

1:30 PM

CONT... Wesley L Stevens

Chapter 7

Defendant(s):

Wesley L Stevens Pro Se

Vanessa Lyn Stevens Pro Se

Joint Debtor(s):

Vanessa Lyn Stevens Represented By
Neil R Hedtke

Plaintiff(s):

Main Credit Corporation Represented By
Kathryn M.S. Catherwood

Trustee(s):

Steven M Speier (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 7, 2019

Hearing Room 5C

11:00 AM

8:13-14557 Joe P Stubbs

Chapter 7

Adv#: 8:19-01057 Stubbs v. United States of America, by its agency Internal R

#15.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Dischargeability Of Tax Liability
(Complaint filed 3/31/19)

FR: 6-11-19; 6-12-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION DISMISSING ADVERSARY PROCEEDING ENTERED 7-
19-19 (DOCKET NO. [12])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joe P Stubbs

Represented By
Bruce A Boice

Defendant(s):

United States of America, by its

Pro Se

Plaintiff(s):

Joe P Stubbs

Represented By
Bruce A Boice

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jeffrey I Golden (TR)

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 7, 2019

Hearing Room 5C

11:00 AM

8:17-12046 Charles B Daye and Alice L Daye

Chapter 7

#16.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses
(Trustee's Report filed 6/25/19)

[RE: JEFFREY I. GOLDEN - Chapter 7 Trustee]

[Fees: \$14,250.00; Expenses: \$107.71]

[RE: MARSHACK HAYS, LLP - Attorney for Chapter 7 Trustee]

[Fees: \$43,211.50; Expenses: \$1,145.71]

[RE: HAHN, FIFE & COMPANY, LLP - Accountant for Trustee]

[Fees: \$3,612.00; Expenses: \$391.70]

Docket 72

Tentative Ruling:

Tentative for 8/07/19 is to APPROVE as requested, except that the Final Fees awarded to Marshack Hays are reduced by \$938.00, which are fees associated with the preparation of its employment application. This approval is contingent upon the Trustee filing a declaration in support of the application.

The "preparation of an application for employment of a professional is a duty generally performed by a trustee without the assistance of an attorney." See *In re Garcia*, 335 B.R. 717, 725 (B.A.P. 9th Cir. 2005) (affirming the denial of fees related to trustee's counsel's employment application in Chapter 7 case, where counsel was retained to negotiate an equity buy back and sell property of the estate). The Firm has not demonstrated that its employment application was not routine, which remains a trustee duty. *Id.*

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 7, 2019

Hearing Room 5C

11:00 AM

CONT... Charles B Daye and Alice L Daye
hearing is required and Trustee will be so notified.

Chapter 7

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Charles B Daye

Represented By
Michael R Totaro

Joint Debtor(s):

Alice L Daye

Represented By
Michael R Totaro

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Richard A Marshack
Judith E Marshack
Laila Masud

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 7, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01050 Marshack v. Yellowstone Capital West, LLC

#17.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
(2) Avoidance Of Post-Petition Transfers Pursuant To 11 U.S.C. Section 549(a);
(3) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
(4) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
(5) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
(6) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
(7) Predatory Lending Pursuant To California Business And Professions Code Section 17200;
(8) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
(9) Declaratory Relief
(Complaint filed 3/20/19)

FR: 6-26-19

Docket 1

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 18, 2019
AT 10:00 A.M. PER ORDER APPROVING SECOND STIPULATION TO
EXTEND ANSWER DEADLINE AND TO CONTINUE STATUS
CONFERENCE ENTERED 5-21-19 - (DOCKET NO. [11])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Yellowstone Capital West, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 7, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 7, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01051 Marshack v. Yes Funding Services LLC

#18.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
(2) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
(3) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
(4) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
(5) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
(6) Predatory Lending Pursuant To California Business And Professions Code
Section 17200;
(7) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
(8) Declaratory Relief
(Complaint filed 3/20/19)

FR: 6-26-19

Docket 1

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 18, 2019
AT 10:00 A.M. PER ORDER APPROVING SECOND STIPULATION
ENTERED 5-21-19 - (DOCKET NO. [11])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Yes Funding Services LLC

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 7, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By

D Edward Hays

David Wood

Kyra E Andrassy

Jeffrey I Golden

Beth Gaschen

Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 7, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01049 Marshack v. Richmond Capital Group

#19.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
(2) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
(3) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
(4) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
(5) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
(6) Predatory Lending Pursuant To California Business And Professions Code
Section 17200;
(7) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
(8) Declaratory Relief
(Complaint filed 3/20/19)

FR: 6-26-19

Docket 1

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 18, 2019
AT 10:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE
STATUS CONFERENCE ENTERED 7-30-19 - (DOCKET NO. [15])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Richmond Capital Group

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 7, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By

D Edward Hays

David Wood

Kyra E Andrassy

Jeffrey I Golden

Beth Gaschen

Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 7, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

Adv#: 8:19-01080 Marshack v. Kassir

#20.00

STATUS CONFERENCE Hearing RE: Complaint To Deny Debtor's Discharge
Per 11 U.S.C. Section 727
(Complaint filed 5/6/19)

Docket 1

***** VACATED *** REASON: ANOTHER SUMMONS ISSUED ON
6/17/19. NEW STATUS CONFERENCE DATE: 9-4-19 AT 11:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hassan Abbas Kassir Pro Se

Defendant(s):

Hassan Abbas Kassir Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 7, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01081 Marshack v. Kassir

#21.00

STATUS CONFERENCE Hearing RE: Complaint To Deny Debtor's Discharge
Per 11 U.S.C. Section 727
(Complaint filed 5/6/19)

Docket 1

***** VACATED *** REASON: ANOTHER SUMMONS ISSUED ON 6-17-19. NEW STATUS CONFERENCE 9-4-19 AT 11:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sukeinah Hassan Kassir Pro Se

Defendant(s):

Sukeinah Hassan Kassir Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 7, 2019

Hearing Room 5C

11:00 AM

8:19-10785 Wayne E Owens and Cynthia L Owens

Chapter 7

#22.00

Hearing RE: Motion To Compel Chapter 7 Trustee To Abandon Property Of
The Estate
[11 U.S.C. Section 554]
(Motion filed 7/2/19)

Docket 29

Tentative Ruling:

Tentative for 8/07/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Wayne E Owens

Represented By
Dennis Connelly

Joint Debtor(s):

Cynthia L Owens

Represented By
Dennis Connelly

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

10:00 AM

8:19-10785 Wayne E Owens and Cynthia L Owens

Chapter 7

#1.00

CONT'D Motion for relief from stay [Real Property]

MUFG Union Bank vs. DEBTOR
(Motion filed 3/29/19)

[RE: 12 Oak Canyon Trail, Coto De Caza, California 92679]

FR: 5-2-19

[Tele. appr., Bryan S. Faiman, repr., MUFG Union Bank, N.A.]

Docket 12

Tentative Ruling:

Updated Tentative for 8/8/19:

In addition to the reasons stated in the previous tentative, the Court DENIES this matter as moot. On August 7, 2019, the Court granted by default the Debtor's Motion to Compel Abandonment [Dk. 29], seeking an order compelling the Trustee to abandon 12 Oak Canyon Trail, Coto de Caza, CA, the same property that is the subject of this Motion for Relief from Stay. An order compelling abandonment of this property has been entered or will be entered shortly. Once the property has been abandoned, the automatic stay no longer applies.

If the Movant does not oppose this tentative ruling, appearances are excused. Movant is to lodge an order within seven (7) days.

*

Tentative for 8/08/19 is to DENY:

Movant appears to be adequately protected as it possesses an equity cushion which exceeds 25%. The Ninth Circuit has held that a 20% equity cushion

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

10:00 AM

CONT... Wayne E Owens and Cynthia L Owens Chapter 7

adequately protects a creditor's security interest. *In re Mellor*, 734 F.2d 1396, 1401 (9th Cir. 1984).

Appearances required.

Party Information

Debtor(s):

Wayne E Owens

Represented By
Dennis Connelly

Joint Debtor(s):

Cynthia L Owens

Represented By
Dennis Connelly

Movant(s):

MUFG UNION BANK, N.A., FKA

Represented By
Joseph C Delmotte

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

10:00 AM

8:19-11838 Steven Frank Schaumburg

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

Ford Motor Credit Company LCC vs. DEBTOR
(Motion filed 7/5/19)

[RE: 2015 Ford Escape - VIN No.: 1FMCU0F76FUB95234]

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Steven Frank Schaumburg

Represented By
Ethan Kiwhan Chin

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

10:00 AM

8:19-11912 Heather J Michael

Chapter 7

#3.00

Motion for relief from stay [Real Property]

The Bank Of New York Mellon FKA The Bank Of New York, As Trustee For The Certificateholders Of The CWABS, Inc., Asset-Backed Certificates, Series 2007-1, It Successors And/Or Assigns vs. DEBTOR
(Motion filed 7/10/19)

[RE: 13336 Dunklee Avenue, Garden Grove, CA 92840-6114]

[Tele. appr., Kelsey Luu, repr., The Bank Of New York Mellon]

Docket 13

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(4) with 4001(a)(3) waiver.

"To obtain relief under §362(d)(4), the court must find three elements to be present. First, debtor's bankruptcy filing must have been part of a scheme. Second, the object of the scheme must be to delay, hinder, or defraud creditors. Third, the scheme must involve either (a) the transfer of some interest in the real property without the secured creditor's consent or court approval, or (b) multiple bankruptcy filings affecting the property. For the court to grant relief under §362(d)(4), and thus trigger two years of prospective relief as to the subject real property, it must affirmatively find that the three elements above are present." *In re First Yorkshire Holdings, Inc.*, 470 B.R. 864, 870-71 (B.A.P. 9th Cir. 2012). Here, Movant has submitted evidence that the filing was part of a scheme to delay or hinder Movant's foreclosure and involved both unauthorized transfers and multiple filings.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

10:00 AM

CONT... Heather J Michael

Chapter 7

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Heather J Michael

Represented By
Lawrence P Bellomo

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

10:00 AM

8:19-12278 Joseph Andrew Cortez

Chapter 7

#4.00

Motion for relief from stay [Personal Property]

Southland Credit Union vs. DEBTOR
(Motion filed 7/16/19)

[RE: 2018 Honda Civic - VIN No.: SHHFK7H45JU425347]

Docket 17

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Joseph Andrew Cortez

Represented By
Timothy McFarlin

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

Adv#: 8:19-01093 TD REO Fund, LLC et al v. Singal et al

#5.00

STATUS CONFERENCE Hearing RE: Complaint For:

- (1) Breach Of Guaranty Contracts;
 - (2) Breach Of Lease Agreement;
 - (3) Breach Of Security Instrument
- (Complaint filed 5/17/19)

[Tele. appr., Jeanne M. Jorgensen, repr., Wayne Masunaga and Lynn Mizuno-Masunaga]

[Tele. appr., Charity J. Manee, repr., Michael Will and Paul Nih]

Docket 1

Tentative Ruling:

Tentative for 8/08/19:

This matter is CONTINUED to November 7, 2019 at 11:00 a.m. A status report (whether joint or unilateral) is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

Defendant(s):

Suneet Singal	Pro Se
First Capital Real Estate	Pro Se
Stephen Howell	Pro Se
Central Valley Gas Stations Atwater	Pro Se

Plaintiff(s):

TD REO Fund, LLC	Represented By Michael W Davis
TD Opportunity Fund, LLC	Represented By Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:17-12003 Equity Indexed Managed Fund LLC

Chapter 11

Adv#: 8:19-01086 Equity Indexed Managed Fund, LLC v. Goldschmied et al

#6.00

STATUS CONFERENCE Hearing RE: Complaint For Breach Of Contract
(Promissory Note)
(Complaint filed 5/15/19)

Docket 1

Tentative Ruling:

Tentative for 8/08/19:

This matter is CONTINUED to November 7, 2019 at 11:00 a.m. A status report (whether joint or unilateral) is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Equity Indexed Managed Fund LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Kyra E Andrassy

Defendant(s):

Steven (Steve) Goldschmied

Pro Se

Newport Investments, LLC

Pro Se

Newport Investments, LLC

Pro Se

Plaintiff(s):

Equity Indexed Managed Fund, LLC

Represented By
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:17-12010 TD REO Fund LLC

Chapter 11

Adv#: 8:19-01087 TD REO Fund LLC v. Nih

#7.00

STATUS CONFERENCE Hearing RE: Complaint To Avoid And Recover
Fraudulent Transfer
[11 U.S.C. Sections 544, 548(a)(1)(A) And (B), 550(a)(1) And (2) And California
Civil Code Section 3439, et seq.]
(Complaint filed 5/15/19)

**[Tele. appr., Jeanne M. Jorgensen, repr., Wayne Masunaga and Lynn
Mizuno-Masunaga]**

[Tele. appr., Charity J. Manee, repr., Michael Will and Paul Nih]

Docket 1

Tentative Ruling:

Tentative for 8/08/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: January 31, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: March 13, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: April 16, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

CONT... TD REO Fund LLC

Chapter 11

Party Information

Debtor(s):

TD REO Fund LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Kyra E Andrassy

Defendant(s):

Paul Nih

Pro Se

Plaintiff(s):

TD REO Fund LLC

Represented By
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:17-12010 TD REO Fund LLC

Chapter 11

Adv#: 8:19-01088 TD REO Fund LLC v. Sage et al

#8.00

STATUS CONFERENCE Hearing RE: Complaint To Avoid And Recover
Fraudulent Transfers
[11 U.S.C. Sections 544, 548(a)(1)(A) And (B), 550(a)(1) And (2) And California
Civil Code Section 3439, et seq.]
(Complaint filed 5/15/19)

**[Tele. appr., Jeanne M. Jorgensen, repr., Wayne Masunaga and Lynn
Mizuno-Masunaga]**

[Tele. appr., Charity J. Manee, repr., Michael Will and Paul Nih]

Docket 1

Tentative Ruling:

Tentative for 8/08/19:

This matter is CONTINUED to November 7, 2019 at 11:00 a.m. A status
report (whether joint or unilateral) is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

TD REO Fund LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Kyra E Andrassy

Defendant(s):

Loisanne Sage

Pro Se

Loisanne Sage as the trustee of the

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

CONT... TD REO Fund LLC

Chapter 11

Plaintiff(s):

TD REO Fund LLC

Represented By
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:17-12010 TD REO Fund LLC

Chapter 11

Adv#: 8:19-01089 TD REO Fund LLC v. Mukda

#9.00

STATUS CONFERENCE Hearing RE: Complaint To Avoid And Recover
Fraudulent Transfer
[11 U.S.C. Sections 544, 548(a)(1)(A) And (B), 550(a)(1) And (2) And California
Civil Code Section 3439, et seq.]
(Complaint filed 5/15/19)

**[Tele. appr., Jeanne M. Jorgensen, repr., Wayne Masunaga and Lynn
Mizuno-Masunaga]**

[Tele. appr., Charity J. Manee, repr., Michael Will and Paul Nih]

Docket 1

Tentative Ruling:

Tentative for 8/08/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: January 31, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: March 13, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: April 16, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

CONT... TD REO Fund LLC

Chapter 11

Party Information

Debtor(s):

TD REO Fund LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Kyra E Andrassy

Defendant(s):

Norma Mukda

Pro Se

Plaintiff(s):

TD REO Fund LLC

Represented By
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:17-12010 TD REO Fund LLC

Chapter 11

Adv#: 8:19-01090 TD REO Fund LLC v. Will

#10.00

STATUS CONFERENCE Hearing RE: Complaint To Avoid And Recover
Fraudulent Transfers
[11 U.S.C. Sections 544, 548(a)(1)(A) And (B), 550(a)(1) And (2) And California
Civil Code Section 3439, et seq.]
(Complaint filed 5/15/19)

**[Tele. appr., Jeanne M. Jorgensen, repr., Wayne Masunaga and Lynn
Mizuno-Masunaga]**

[Tele. appr., Charity J. Manee, repr., Michael Will and Paul Nih]

Docket 1

Tentative Ruling:

Tentative for 8/08/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: January 31, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: March 13, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: April 16, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

CONT... TD REO Fund LLC

Chapter 11

Party Information

Debtor(s):

TD REO Fund LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Kyra E Andrassy

Defendant(s):

Michael J. Will

Pro Se

Plaintiff(s):

TD REO Fund LLC

Represented By
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:17-12010 TD REO Fund LLC

Chapter 11

Adv#: 8:19-01091 TD REO Fund LLC v. Masunaga et al

#11.00

STATUS CONFERENCE Hearing RE: Complaint To Avoid And Recover
Fraudulent Transfer
[11 U.S.C. Sections 544, 550(a)(1) And (2) And California Civil Code Section
3439, et seq.]
(Complaint filed 5/15/19)

**[Tele. appr., Jeanne M. Jorgensen, repr., Wayne Masunaga and Lynn
Mizuno-Masunaga]**

[Tele. appr., Charity J. Manee, repr., Michael Will and Paul Nih]

Docket 1

Tentative Ruling:

Tentative for 8/08/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: January 31, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: March 13, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: April 16, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

CONT... TD REO Fund LLC

Chapter 11

Party Information

Debtor(s):

TD REO Fund LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Kyra E Andrassy

Defendant(s):

Wayne Masunaga

Pro Se

Lynn Mizuno Masunaga

Pro Se

Plaintiff(s):

TD REO Fund LLC

Represented By
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:17-12018 WJA Secure Income Fund LLC

Chapter 11

Adv#: 8:19-01092 WJA Secure Income Fund, LLC v. Winget, Spadafora & Schwartzberg, LLP

#12.00

STATUS CONFERENCE Hearing RE: Complaint For Unjust Enrichment
(Complaint filed 5/17/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO OCTOBER 2, 2019 AT
11:00 A.M. PER ANOTHER SUMMONS ISSUED ON THIRD-PARTY
DEFENDANT ON 7-26-19 - (DOCKET NO. [16])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

WJA Secure Income Fund LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello

Defendant(s):

Winget, Spadafora & Schwartzberg,

Pro Se

Arto J. Nuutinen

Pro Se

Plaintiff(s):

WJA Secure Income Fund, LLC

Represented By
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:17-12753 David Vincent Ross and Cheri LeAnn Ross

Chapter 11

#13.00

CONT'D Hearing RE Post Confirmation Report RE: Fourth Amended Chapter 11 Plan Of Reorganization
(Set at Third Amended D.S. hearing held 6-7-18)
(Second Amended D.S. filed 3/29/18)
(Third Amended D.S. filed 5/16/18)
(Fourth Amended D.S. filed 6/14/18)
(Fourth Amended Plan filed 6/20/18)
(Set at Fourth Amended Ch. 11 Plan hearing held 8/23/18)

FR: 1-16-19; 4-18-19

Docket 154

Tentative Ruling:

Tentative for 8/08/19:

The Court has received and reviewed the status report filed on July 24, 2019 [Dk. 224], and will set a CONTINUED status conference date of December 19, 2019, at 11:00 a.m. A status report is due 14 days in advance. In filing the next report, Debtor is directed to fully comply with LBR 3020-1(b).

Appearances are excused.

Tentative for 4/18/19:

The Court has received and reviewed the status report filed on April 3, 2019 [Dk. 213], and will set a CONTINUED status conference date of September 19, 2019, at 11:00 a.m. A status report is due 14 days in advance.

The Court notes that the Status Report contains the following representation:

Debtor issued payment CitiMortgage as required

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

CONT...

David Vincent Ross and Cheri LeAnn Ross

Chapter 11

under the stipulation and plan, but the payment was refused and returned to the Debtor. Pursuant to the terms and provisions of the confirmed Chapter 11 Plan, the failure of CitiMortgage to process the payment within 60 days of the date of the check has relieved the Debtors of any further payment obligations to CitiMortgage.

Status Report, pg. 5:12-17.

This representation is inconsistent with the language in Stipulation re Treatment of Claim under Debtors Proposed Chapter 11 Plan, filed on March 29, 2019 [Dk. 135], and incorporated into the Fourth Amended Chapter 11 Plan [Dk. 175] as Exhibit H to the Fourth Amended Disclosure Statement [Dk. 165]. However, the status of payments or requirement for future payments to CitiMortgage pursuant to the plan is not presently at issue before the Court, and the Court makes no ruling at this time.

Appearances are required.

Party Information

Debtor(s):

David Vincent Ross

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Cheri LeAnn Ross

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:17-12753 David Vincent Ross and Cheri LeAnn Ross

Chapter 11

#14.00

CONT'D Hearing RE: Motion For Order To Reinstate Wilco Life Insurance Company (Formerly Consec Life Insurance Company) Policy Pursuant to Debtors' Confirmed Chapter 11 Plan (Motion filed 12/28/18)

FR: 2-7-19; 3-21-19; 5-2-19

Docket 198

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
JOINT STIPULATION REGARDING RESOLUTION TO DEBTORS'
MOTION ENTERED 6-12-19 - (DOCKET NO. [222])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Vincent Ross

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Cheri LeAnn Ross

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:18-12720 Tina Hong-Ngoc Trinh

Chapter 11

#15.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 7/24/18)

FR: 9-13-18; 9-20-18; 12-20-18; 3-21-19; 4-18-19; 6-27-19

Docket 1

Tentative Ruling:

Tentative for 8/08/19:

None listed.

Tentative for 3/21/19:

The Court has received and reviewed the status report filed on March 6, 2019 [Dk. 45]. The Status Conference is CONTINUED to April 19, 2019 at 11:00 a.m. to coincide with the hearing on the Disclosure Statement filed on February 19, 2019, [Dk. 42]. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 12/20/18:

The Court has received and reviewed the status report filed on December 5, 2018 [Dk. 36]. The Status Conference is CONTINUED to March 21, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 9/20/18 is to set the dates/deadlines, as follows:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

CONT... Tina Hong-Ngoc Trinh

Chapter 11

1. Deadline to file a plan and disclosure statement - November 30, 2018.
2. Continued status conference - December 20, 2018 at 11:00 a.m. A status report is due 14 days in advance.
3. Bar Date: December 15, 2018, with service by no later than September 30, 2018.

Debtor is to submit a scheduling order within seven (7) days.

Party Information

Debtor(s):

Tina Hong-Ngoc Trinh

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:18-12720 Tina Hong-Ngoc Trinh

Chapter 11

#16.00

CONT'D Hearing RE: Confirmation Of Chapter 11 Plan Of Reorganizaton
(Plan Confirmation hearing set at D.S. hearing held 4/18/19)

FR: 4-18-19; 6-27-19

Docket 43

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tina Hong-Ngoc Trinh

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#17.00

CONT'D Hearing RE: Motion For Dismissal, Or In The Alternative, Conversion
To Chapter 7
(Motion filed 5/31/19)

FR: 6-27-19

Docket 46

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 4, 2019 AT
11:00 A.M. PER ORDER GRANTING CONTINUANCE ENTERED 7-22-
19 - (DOCKET NO. [71])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#18.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management
Conference And (2) Requiring Status Report
(Petition filed 4/15/19)

FR: 6/13/19; 6-27-19

Docket 1

*** VACATED *** REASON: CONTINUED TO SEPTEMBER 4, 2019 AT
11:00 A.M. PER ORDER GRANTING CONTINUANCE ENTERED 7-22-19
- (DOCKET NO. [71])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:19-12448 Lightning Technology, Inc.

Chapter 11

#19.00

STATUS CONFERENCE Hearing RE: (1) Case Management Conference And
(2) Requiring Status Report
(Petition filed 6/24/19)

Docket 0

*** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION DISMISSING CASE ENTERED 8-7-19 - (DOCKET NO.
[79])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lightning Technology, Inc.

Represented By
Bert Briones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 8, 2019

Hearing Room 5C

11:00 AM

8:19-12448 Lightning Technology, Inc.

Chapter 11

#20.00

Hearing RE: Application By Debtor-In-Possession To Employ Bert Briones/Red Hill Law Group As General Bankruptcy Counsel
(Motion filed 7/8/19)
(Set per Order Entered 7/26/19)

Docket 31

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION DISMISSING CASE ENTERED 8-7-19 - (DOCKET NO.
[79])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lightning Technology, Inc.

Represented By
Bert Briones

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

10:00 AM

6:19-11392 Bryan Spencer Robertson and Jennie Melissa Robertson

Chapter 7

#1.00

Vanlochem & Associates LLP - movant attorney

Motion for Relief from Stay

Nissan Motor Acceptance Corporation vs. DEBTORS
(Motion filed 7/17/19)

Re: 2017 NISSAN ALTIMA, VIN #: 1N4AL3AP4HC470945

EH_____

Docket 20

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Bryan Spencer Robertson

Represented By
Daniel King

Joint Debtor(s):

Jennie Melissa Robertson

Represented By
Daniel King

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

10:00 AM

CONT... Bryan Spencer Robertson and Jennie Melissa Robertson

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

10:00 AM

6:19-13624 Frinee Graciela Mayagoitia

Chapter 7

#2.00

Bonial & Associates, P.C. - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 7/12/19)

Re: 2017 TOYOTA COROLLA

EH_____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Frinee Graciela Mayagoitia

Represented By
Brian J Soo-Hoo

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

10:00 AM

6:19-13835 Filiberto Davila and Beatriz Davila

Chapter 7

#3.00

Shapiro, Van Ess, Sherman & Marth, LLP - movant attorney

Motion for Relief from Stay

Dakota Financial LLC vs. DEBTORS
(Motion filed 7/10/19)

Re: 2018 Texas Pride Car Hauler

EH_____

Docket 13

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver. The request for relief under § 362(d)(2) is denied as Movant has not provided admissible evidence of value.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Filiberto Davila

Represented By
Keith Q Nguyen

Joint Debtor(s):

Beatriz Davila

Represented By
Keith Q Nguyen

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

10:00 AM

CONT... Filiberto Davila and Beatriz Davila

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

10:00 AM

6:19-14898 Braulio Alberto Meza

Chapter 7

#4.00

Tiffany & Bosco - movant attorney

Motion for relief from stay

Bank of America, NA vs DEBTOR
(Motion filed 7/19/19)

RE: U 2013 HYUNDAI SONATA; VIN NO. 5NPEC4AC7DH567151

EH _____

Docket 37

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Braulio Alberto Meza

Represented By
David Hernandez Jr

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

10:00 AM

6:19-14973 Rafael L. Prado and Natalie K. Agoncillo

Chapter 7

#5.00

Law Offices of Vincent V. Frounjian, P.C. - movant attorney

Motion for Relief from Stay

American Honda Finance Corporation vs. DEBTORS, and Todd Frealy, chapter 7 trustee
(Motion filed 7/18/19)

Re: 2018 HONDA CIVIC, VIN: 2HGF C2F7 0JH5 28363

EH _____

Docket 13

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Rafael L. Prado

Represented By
Keith Q Nguyen

Joint Debtor(s):

Natalie K. Agoncillo

Represented By
Keith Q Nguyen

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

10:00 AM

CONT... Rafael L. Prado and Natalie K. Agoncillo

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

10:00 AM

6:19-16204 Cristian Eduardo Medrano Cantalan and Jovita Almaraz-

Chapter 7

#6.00

Law Offices of Vincent V Frounjian - movant attorney

Motion for relief from stay

Mechanics Bank vs DEBTOR, Arturo Cisneros, Trustee
(Motion filed 7/19/19)

RE: 2017 HONDA ACCORD, VIN: 1HGC R2F3 5HA1 69194

EH ____

Docket 7

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Cristian Eduardo Medrano Cantalan Pro Se

Joint Debtor(s):

Jovita Almaraz-Valdes Pro Se

Trustee(s):

Arturo Cisneros (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

10:00 AM

6:19-16200 Daniel Jesus Spear Tudares and Mariela Rosse Jackson

Chapter 7

#6.10

H.G. Long & Associates - movant attorney

Motion for Relief from Stay

Wenting Hu vs. DEBTORS
(Motion filed 7/30/19)

Re: 8265 Gamebird St., Eastvale, CA

EH_____

Docket 14

Tentative Ruling:

Tentative for 8/13/19 is to GRANT pursuant to § 362(d)(1) and § 362(d)(4), with extraordinary relief and 4001(a)(3) waiver as requested.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Daniel Jesus Spear Tudares Pro Se

Joint Debtor(s):

Mariela Rosse Jackson Pro Se

Trustee(s):

Lynda T. Bui (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

11:00 AM

6:16-15903 Joan Velarde

Chapter 7

#7.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 8/13/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Joan Velarde

Represented By
Emilia N McAfee

Trustee(s):

Arturo Cisneros (TR)

Represented By
Donald Reid
Robert P Goe

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

11:00 AM

6:18-14917 Hao Wang

Chapter 7

#8.00

Hrg on Chapter 7 Trustee's Fourth and Final Motion filed 6/20/19 to Extend Deadline Within Which the Chapter 7 Trustee or the Office of the United States Trustee May File an Objection to Debtor's Discharge Pursuant to 11 U.S.C. Section 727

EH _____

Docket 82

Tentative Ruling:

Tentative is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Hao Wang

Represented By
Sam X J Wu

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

11:00 AM

6:18-18393 Marion Gilbert Sandoval and Rosario Sandoval

Chapter 7

#9.00

Hrg. on joint motion of Debtors and creditors, Michael and Jennifer Sanchez, for an order (1) Establishing conditions and procedures for dismissal of case under 11 U.S.C. §707(a);(2).Granting permission to Debtors to draw on their reverse mortgage, held by Ocwen or its successor, to pay the settlement payment to Michael and Jennifer Sanchez only; and (3) Dismissal of this case when all conditions and procedures for dismissal have been fulfilled
EH_____

Docket 27

Tentative Ruling:

Tentative for 8/13/19 is to GRANT.

Appearances are required, either on the phone or in person. The Court has certain inquires it would like to make.

Party Information

Debtor(s):

Marion Gilbert Sandoval

Represented By
Linda Roberts-Ross

Joint Debtor(s):

Rosario Sandoval

Represented By
Linda Roberts-Ross

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

1:30 PM

6:15-12078 Orange County Nursery, Inc.

Chapter 11

#10.00

Hrg. on Chapter 11 Status Conference

(Cont. from 4/30/19)

EH_____

Docket 0

Tentative Ruling:

Tentative for 8/13/19:

This matter is CONTINUED to December 17, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 4/30/19:

The Court has received and reviewed the Status Reports filed by Debtor [Dk. 1109] and Minority Voting Trust [Dk. 1110] on April 16, 2019. This matter is CONTINUED to August 13, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Orange County Nursery, Inc.

Represented By
David S Kupetz
Steven Werth
Elissa Miller

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

1:30 PM

CONT...

Orange County Nursery, Inc.

Arthur Gutierrez Longoria
Tamar Terzian

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 13, 2019

Hearing Room 126

1:30 PM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#11.00

Hrg. on Debtor's Motion filed 7/25/19 to Extend Time to Assume or Reject
Unexpired Real Property Lease

EH_____

Docket 139

Tentative Ruling:

Tentative for 8/13/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub
Nina Z Javan
James R Selth

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 14, 2019

Hearing Room 126

1:30 PM

6:15-20279 Mohammad Far

Chapter 7

Adv#: 6:16-01018 O'Laverty et al v. Far et al

#6.00

STATUS CONFERENCE re Complaint by Ames Todd O'Laverty, Cheri O'Laverty, Merilee Sousa against Mohammad Far, Ruth Ann Far (§523(a)(2), § 523(a)(4), §523(a)(6))

(Cont. from 6/26/19)

EH _____

Docket 1

Tentative Ruling:

Tentative for 8/14/19:

As of the posting of this tentative, no updated status report for the August 14, 2019 status conference has been filed, advising the Court whether Defendants have sought a further appeal.

Appearances required.

Tentative for 6/26/19:

This matter is CONTINUED to August 14, 2019 at 1:30 p.m. A status report (whether joint or unilateral) is due 14 days in advance. Note: If Defendants have not sought a further appeal by this time, the Court will move forward with this case and expects the Parties to fully participate in the preparation of a meaningful joint status report.

Appearances are excused.

Tentative for 10/24/18:

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 14, 2019

Hearing Room 126

1:30 PM

CONT... Mohammad Far

Chapter 7

This matter is CONTINUED to March 6, 2019 at 1:30 p.m. A status report (whether joint or unilateral) is due 14 days in advance.

Appearances are excused.

Tentative for 5/30/18:

The Court has received and reviewed the status report filed by Debtors on 5/10/18 [Dk. 45] and will CONTINUE this matter to 10/17/18 at 1:30 p.m. A status report (whether joint or unilateral) is due **14 days in advance**. Future failure to timely file status reports may result in sanctions.

Appearances are excused.

Tentative for 11/15/17:

This matter is CONTINUED to March 14, 2018 at 1:30 p.m. A status report (whether joint or unilateral) is due **14 days in advance**. Future failure to timely file status reports may result in sanctions.

Appearances are excused.

Tentative for 8/16/17:

The Court has received and reviewed the status report filed late on August 11, 2017 [Dk. 37]. This status conference is CONTINUED to November 15, 2017 at 1:30 p.m. A status report (whether joint or unilateral) is due **14 days in advance**. Future failure to timely file status reports may result in sanctions.

Appearances are excused.

Tentative for 5/10/17:

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 14, 2019

Hearing Room 126

1:30 PM

CONT... Mohammad Far

Chapter 7

The Court has reviewed the Status Report filed 5/2/17 [Dk. 34] and notes that it indicates the appeal has been filed and is pending. The Court will CONTINUE the status conference to August 16, 2017 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 3/15/17:

Appearances required. The parties should be prepared to discuss (1) the impact of the pending appeal on the motion for summary judgment presently calendared for 5/3/17; and (2) new dates for the pre-trial conference and motion for summary judgment, if warranted.

Party Information

Debtor(s):

Mohammad Far

Represented By
Stephen H Darrow

Defendant(s):

Mohammad Far

Represented By
Stephen H Darrow

Ruth Ann Far

Represented By
Stephen H Darrow

Joint Debtor(s):

Ruth Ann Far

Represented By
Stephen H Darrow

Plaintiff(s):

Ames Todd O'Laverty

Represented By
Ian Landsberg

Cheri O'Laverty

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 14, 2019

Hearing Room 126

1:30 PM

CONT... Mohammad Far

Chapter 7

Merilee Sousa

Ian Landsberg

Represented By
Ian Landsberg

Trustee(s):

Larry D Simons (TR)

Represented By
Howard M Ehrenberg
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 14, 2019

Hearing Room 126

1:30 PM

6:18-17561 Nely Avelar

Chapter 7

Adv#: 6:19-01033 Bui v. Figueroa

#7.00

STATUS CONFERENCE re: Complaint by Lynda T. Bui against Marco Figueroa - § 548 fraudulent transfer, § 542 turnover of property, Declaratory judgment

(Cont. from 5/1/19)

Docket 1

***** VACATED *** REASON: Adversary case dismissed 7/31/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nely Avelar

Represented By
Suzette Douglas

Defendant(s):

Marco Figueroa

Pro Se

Plaintiff(s):

Lynda T. Bui

Represented By
Brandon J Iskander

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 14, 2019

Hearing Room 126

1:30 PM

6:18-17579 Mark D. Uy

Chapter 7

Adv#: 6:18-01239 Virginia Bills a deceased individual, by and throu v. Uy

#8.00

STATUS CONFERENCE re: Complaint by Virginia Bills a deceased individual, by and through her personal representatives Joyce Stablein and Danny White against Mark D. Uy - 523(a)(6)

EH_____

(Cont. from 2/27/19)

Docket 1

Tentative Ruling:

Tentative for 8/14/19:

The Court has received and reviewed the Status Report filed August 6, 2019 [Dk. 12] and will CONTINUE this matter to January 22, 2020 at 1:30 p.m. This matter is stayed pending resolution of the state court action. A status report is due 14 days in advance. The status report must include the procedural status as to Debtor of the pending state court action. Either side may request an earlier status conference date upon written application to the Court.

Appearances are excused.

Tentative for 2/27/19:

Relief from stay was granted to Plaintiff by an order entered February 13, 2019 [Dk. 30] to proceed in state court. Accordingly, this matter is CONTINUED to August 14, 2019 at 1:30 p.m. A status report is due 14 days in advance. The status report must include the procedural status as to Debtor of the pending state court action. Either side may request an earlier status conference date upon written application to the Court.

Appearances are excused.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 14, 2019

Hearing Room 126

1:30 PM

CONT... Mark D. Uy

Chapter 7

Party Information

Debtor(s):

Mark D. Uy

Represented By
Raymond Obiamalu

Defendant(s):

Mark D. Uy

Pro Se

Plaintiff(s):

Virginia Bills a deceased individual,

Represented By
Douglas A Plazak

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 14, 2019

Hearing Room 126

1:30 PM

6:18-18200 John Obrien

Chapter 7

Adv#: 6:19-01054 Frealy v. Obrien et al

#9.00

STATUS CONFERENCE RE: Complaint by Todd A. Frealy against John Obrien, Collene O'Brien, Kathalene M. Miller- §542 turnover of property, Declaratory judgment

(Cont. from 6/12/19)

EH_____

Docket 1

Tentative Ruling:

Tentative for 8/14/19:

The Court has received and reviewed the Status Report filed July 30, 2019 [Dk. 14] in which the parties represent that they are actively engaged in settlement negotiations and anticipate reaching an agreement. Accordingly, the Court will CONTINUE this matter to October 23, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

John Obrien

Represented By
Christopher J Murtagh

Defendant(s):

John Obrien

Pro Se

Collene O'Brien

Pro Se

Kathalene M. Miller

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 14, 2019

Hearing Room 126

1:30 PM

CONT... John Obrien

Chapter 7

Joint Debtor(s):

Tracy Obrien

Represented By
Christopher J Murtagh

Plaintiff(s):

Todd A. Frealy

Represented By
Michelle A Marchisotto

Trustee(s):

Todd A. Frealy (TR)

Represented By
Christopher J Murtagh
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 14, 2019

Hearing Room 126

1:30 PM

6:19-10980 Wesley L Stevens

Chapter 7

Adv#: 6:19-01078 Main Credit Corporation v. Stevens et al

#10.00

STATUS CONFERENCE re: Complaint by Main Credit Corporation against Wesley L Stevens, Vanessa Lyn Stevens - §§ 523(a)(2), 523(a)(4), 523(a)(6)

EH_____

(Cont. from 8/7/19)

Docket 1

Tentative Ruling:

Tentative for 8/14/19:

As discussed at the 8/7/19 hearing, this matter was continued to 8/14/19 for the purposes of allowing the parties to consider, and weigh in on, whether relief from stay should be granted, and this matter stayed, to allow resolution of the state court proceeding. The parties are to provide an oral report and may appear in person or telephonically.

Tentative for 8/7/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: January 17, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: March 13, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: April 15, 2020 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, August 14, 2019

Hearing Room 126

1:30 PM

CONT... Wesley L Stevens

Chapter 7

and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Wesley L Stevens

Represented By
Neil R Hedtke

Defendant(s):

Wesley L Stevens

Pro Se

Vanessa Lyn Stevens

Pro Se

Joint Debtor(s):

Vanessa Lyn Stevens

Represented By
Neil R Hedtke

Plaintiff(s):

Main Credit Corporation

Represented By
Kathryn M.S. Catherwood

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 14, 2019

Hearing Room 5C

10:00 AM

8:17-12887 Dana Kim Shelton

Chapter 7

Adv#: 8:18-01006 Richard A. Marshack, Chapter 7 Trustee, v. Larson et al

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Status Of Appeal RE:
Complaint:

(1) To Determine The Validity, Priority, And Extent Of Liens;

(2) Objecting To Daniel Keith Larson And Erin Ellen Larson [Claim No. 3] Filed
On December 21, 2017;

(3) To Surcharge Lienholders For The Expenses Necessary To Preserve
Collateral Securing Their Claims; And

(4) Damages For Violations Of Section 807 Of The FDCPA, 15 U.S.C. Section
1692e

**[STATUS CONFERENCE AS TO PETER KOTE, BANK OF AMERICA;
DANIEL KEITH LARSON, AND ERIN ELLEN LARSON]**

(Complaint filed 1/9/18) (PTC set at S/C held 3/8/18)

(S/C set per Order Entered 10-9-18)

[Holding Date]

FR: Advanced from 4-18-18; 9-19-18; 12-5-18; 2-20-19; 2-27-19; 3-20-19;
5-15-19

Docket 1

Tentative Ruling:

Tentative for 8/14/19:

This matter is CONTINUED to December 18, 2019, at 11:00 a.m. If all
appeals have not been completed and the case has not been dismissed, a
status report is due 14 days in advance.

Appearances are excused.

Tentative for 5/15/19:

This matter is CONTINUED to August 14, 2019, at 10:00 a.m., as a holding

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 14, 2019

Hearing Room 5C

10:00 AM

CONT... Dana Kim Shelton

Chapter 7

date to allow resolution of any issues related to the appeal of the Order Approving Settlement between Trustee and Peter Kote.

If all appeals have not been completed and the case has not been dismissed, a status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Dana Kim Shelton

Represented By
Christopher P Walker

Defendant(s):

Daniel Keith Larson

Pro Se

Erin Ellen Larson

Pro Se

Peter Kote

Pro Se

BANK OF AMERICA, N.A

Pro Se

Plaintiff(s):

Richard A. Marshack, Chapter 7

Represented By
Misty A Perry Isaacson

Trustee(s):

Richard A Marshack (TR)

Represented By
Misty A Perry Isaacson

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 14, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01064 Marshack v. Castanon et al

#2.00

CONT'D Hearing RE: Motion For Partial Summary Judgment
(Motion filed 5/31/19)

FR: 7-17-19 at 10:00 a.m.

Docket 56

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Michael Edward Castanon

Represented By
Rhonda Walker

BeachPointe Investments, Inc.

Represented By
Evan C Borges

George Bawuah

Represented By
Evan C Borges

Jerry Bolnick

Represented By
Evan C Borges

Jonathan Blau

Represented By
Evan C Borges

Joseph Bolnick

Represented By
Evan C Borges

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 14, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC Chapter 7

Maria Castanon	Pro Se
Kenneth Miller	Represented By Evan C Borges
Peter Van Petten	Represented By Evan C Borges
Raymond Midley	Represented By Evan C Borges
Veronica Marfori	Represented By Evan C Borges

Plaintiff(s):

Richard A. Marshack	Represented By Sharon Oh-Kubisch
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Trustee(s):

Richard A Marshack (TR)	Represented By D Edward Hays David Wood Kyra E Andrassy Jeffrey I Golden Beth Gaschen Matthew Grimshaw
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 14, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01064 Marshack v. Castanon et al

#2.10

CONT'D PRE-TRIAL CONFERENCE Hearing RE: First Amended Complaint:

1. To Recover Unlawful Dividends;
 2. To Avoid And Recover Fraudulent Transfers Under 11 U.S.C. Sections 544(b) And 550 And California Civil Code Section 3439.04(a)(1);
 3. To Avoid And Recover Pre-Petition Transfers Under 11 U.S.C. Sections 544(b) And 550 And California Civil Code Section 3439.04(a)(2);
 4. To Avoid Pre-Petition Transfers Pursuant To 11 U.S.C. Sections 544(b) And California Civil Code Section 3439.05;
 5. To Avoid Pre-Petition Transfers Pursuant To 11 U.S.C. Section 548(a)(1)(B)
 6. To Avoid Pre-Petition Transfer Pursuant To 11 U.S.C. Section 549(a)
- (First Amended Complaint filed 1/3/19)
(Another Summons issued 2/15/19)
(PTC set at S/C held 5/15/19)
(Another Summons issued 6/26/19)

FR: 4-3-19; 5-15-19

Docket 1

Tentative Ruling:

Tentative for 8/14/19:

None listed.

Tentative for 5/15/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: September 30, 2019. Note: this is the date by which all discovery motions must be heard and resolved.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 14, 2019

Hearing Room

5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

2. Motion cutoff: November 15, 2019. Note: this is the date by which all non-discovery motions must be heard and resolved.

3. Pretrial conference: December 18, 2019 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Michael Edward Castanon

Represented By
Rhonda Walker

BeachPointe Investments, Inc.

Pro Se

George Bawuah

Pro Se

Jerry Bolnick

Pro Se

Jonathan Blau

Pro Se

Joseph Bolnick

Pro Se

Maria Castanon

Pro Se

Kenneth Miller

Pro Se

Peter Van Petten

Pro Se

Raymond Midley

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 14, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Veronica Marfori

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Sharon Oh-Kubisch

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Wednesday, August 14, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#4.00

CONT'D Hearing RE: Objection To The Claims:
(Objection filed 3/4/19)

Claim No. 7 Joanna Lopez \$1,076,304.85

FR: 4-18-19

Docket 97

***** VACATED *** REASON: CONTINUED TO NOVEMBER 20, 2019
AT 11:00 A.M. PER ORDER APPROVING CHAPTER 7 TRUSTEE'S
MOTION TO APPROVE STIPULATION ENTERED 8-7-19 - (DOCKET
NO. [249])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 14, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#5.00

CONT'D Hearing RE: Objection To The Claims:
(Objection filed 3/4/19)

Claim No. 6 Maria Arellano \$1,076,304.85

FR: 4-18-19

Docket 95

***** VACATED *** REASON: CONTINUED TO NOVEMBER 20, 2019
AT 11:00 A.M. PER ORDER APPROVING CHAPTER 7 TRUSTEE'S
MOTION TO APPROVE STIPULATION ENTERED 8-7-19 - (DOCKET
NO. [250])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 14, 2019

Hearing Room 5C

11:00 AM

8:19-10123 Lisa A. Henry

Chapter 7

#5.10

Hearing RE: Chapter 7 Trustee's Motion For Order:
(1) Authorizing Sale Of Real Property Free And Clear Of Liens, Claims, And Interests Pursuant To 11 U.S.C. Sections 363(b) And (f);
(2) Approving Overbid Procedures;
(3) Approving Buyer, Successful Bidder And Back-up Bidder As Good-Faith Purchaser Pursuant To 11 U.S.C. Section 363(m);
(4) Authorizing Payment Of Undisputed Liens, Real Estate Broker's Commissions And Other Ordinary Costs Of Sale
(Motion filed 7/24/19)

Docket 59

Tentative Ruling:

Tentative for 8/14/19: The overbid procedures are approved and Trustee is to conduct an auction.

Party Information

Debtor(s):

Lisa A. Henry

Represented By
Kelly H. Zinser

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, August 14, 2019

Hearing Room 5C

11:00 AM

8:19-11273 Caty Lyndsey Spiteri

Chapter 7

#5.20

Hearing RE: Motion In A Chapter 7 Or 13 Case (1) To Reopen Case And (2) For Extension Of Time To File Forms Required For Discharge (Motion filed 7/19/19) (Set Per Order Entered 8/1/19)

Docket 18

Tentative Ruling:

Tentative for 8/14/19:

Personal appearance by Debtor's counsel is required in Courtroom 5C.

Party Information

Debtor(s):

Caty Lyndsey Spiteri

Represented By
Tony M Diab

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, August 15, 2019

Hearing Room 126

11:30 AM

6:19-17085 O'Linn Security Incorporated

Chapter 11

#4.00

Hrg. on Debtor's Motion filed 8/13/19 to Use Cash Collateral on an Interim and Final basis

EH_____

Docket 2

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

O'Linn Security Incorporated

Represented By
Steven R Fox
W. Sloan Youkstetter

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, August 15, 2019

Hearing Room 126

11:30 AM

6:19-17085 O'Linn Security Incorporated

Chapter 11

#5.00

Hrg. on Debtor's Motion filed 8/13/19 to Authorize Debtor to Pay Prepetition
Priority Employee Wages

EH_____

Docket 3

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

O'Linn Security Incorporated

Represented By
Steven R Fox
W. Sloan Youkstetter

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, August 15, 2019

Hearing Room 126

11:30 AM

6:19-17085 O'Linn Security Incorporated

Chapter 11

#6.00

Hrg. on Debtor's Motion filed 8/13/19 pursuant to Local Bankruptcy Rule 2081-1(b) For Order Determining Adequate Assurance of Payment For Post-Petition Utility Services

EH_____

Docket 4

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

O'Linn Security Incorporated

Represented By
Steven R Fox
W. Sloan Youkstetter

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, August 15, 2019

Hearing Room 126

11:30 AM

6:19-17085 O'Linn Security Incorporated

Chapter 11

#7.00

Hrg. on Debtor's Motion filed 8/13/19 For An Order Limiting Scope Of Notice

EH_____

Docket 5

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

O'Linn Security Incorporated

Represented By
Steven R Fox
W. Sloan Youkstetter

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 15, 2019

Hearing Room 5C

11:00 AM

8:16-12463 Marzieh Bagheri-Tari

Chapter 11

#1.00

CONT'D POST-CONFIRMATION STATUS CONFERENCE Hearing RE: (1)
Case Management Conference And (2) Requiring Status Report
(Petition filed 6/13/16)
(Post-Confirmation S/C set at confirmation hearing held 8/31/17)

FR: 8-4-16; 10-20-16; 12-15-16; 2-16-17; 3-9-17, 5-11-17; 8-31-17; 11-9-17;
2-22-18; 5-3-18; 9-13-18; 9-20-18; 1-24-19; 3-7-19

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 8/15/19:

This matter is continued to January 23, 2020 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 3/07/19:

This matter is continued to August 15, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 1/24/19:

As of the posting of this tentative, no status report has been filed.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 15, 2019

Hearing Room 5C

11:00 AM

CONT... Marzieh Bagheri-Tari
Appearances required.

Chapter 11

Party Information

Debtor(s):

Marzieh Bagheri-Tari

Represented By
Yeznik O Kazandjian

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 15, 2019

Hearing Room 5C

11:00 AM

8:17-11743 Cecilio Romero Murrietta and Irma Bonilla Murrietta

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 5/1/17)

FR: 6-15-17; 6-29-17; 9-14-17; 10-5-17; 12-7-17; 12-14-17; 2-22-18; 5-31-18; 8-23-18; 1-31-19; 4-18-19

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 8/15/19:

The Court has received and reviewed the status report filed on August 1, 2019 [Dk. 241], and will continue the status conference to October 24, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 4/18/19:

The Court is inclined to set the following dates/deadlines:

1. Deadline to file a plan and disclosure statement - June 30, 2019.
2. A Continued Chapter 11 Status Conference - August 15, 2019 at 11:00 a.m. A status report is due 14 days in advance.

The Trustee (himself or through his counsel) should be prepared to orally provide the Court with a current and projected financial overview of Debtor, including a summary of all claims.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 15, 2019

Hearing Room 5C

11:00 AM

CONT... Cecilio Romero Murrietta and Irma Bonilla Murrietta

Chapter 11

Appearances required.

Party Information

Debtor(s):

Cecilio Romero Murrietta

Represented By
Andrew S Bisom

Joint Debtor(s):

Irma Bonilla Murrietta

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 15, 2019

Hearing Room 5C

11:00 AM

8:18-14425 Wallace Raymond Steffen, Jr

Chapter 11

#3.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 12/4/18) (Case Converted on 3/14/19)

FR: 5-2-19

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 8/15/19:

The status conference is continued to October 10, 2019 at 11:00 a.m. to coincide with the hearing on the OSC re: conversion or dismissal. The Court notes that no status report for the August 15, 2019 status conference was filed as of the posting of this tentative, which the Court will consider in connection with the OSC.

Appearances are excused.

Tentative for 5/02/19 is to set the following dates/deadlines:

1. Deadline for filing a plan and disclosure statement: May 30, 2019. Note: the failure to timely file a plan and disclosure statement may result in the conversion or dismissal of the case.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, August 15, 2019

Hearing Room

5C

11:00 AM

CONT...

Wallace Raymond Steffen, Jr

Chapter 11

2. Deadline for filing Objections to Claim: July 15, 2019
3. Continued status conference: August 15, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Party Information

Debtor(s):

Wallace Raymond Steffen Jr

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 27, 2019

Hearing Room 126

10:00 AM

6:19-15537 Lloyd S Adelhelm and Irene Adelhelm

Chapter 7

#1.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for relief stay

Santander Consumer USA, Inc. vs DEBTOR, Robert Whitmore, Trustee
(Motion filed 7/26/19)

RE: 2014 RAM 1500 VIN 1C6RR6GGXES177452

EH ____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Lloyd S Adelhelm	Pro Se
------------------	--------

Joint Debtor(s):

Irene Adelhelm	Pro Se
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Trustee(s):

Robert Whitmore (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 27, 2019

Hearing Room 126

10:00 AM

6:19-15581 Julian Lamar Stepney and Tamika Elaine Stepney

Chapter 7

#2.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA, Inc. vs. DEBTORS, Robert Whitmore, trustee
(Motion filed 7/30/19)

Re: 2018 Jeep Renegade, VIN: ZACCJBAB0JPH34767

EH_____

Docket 17

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Julian Lamar Stepney

Represented By
Nicholas M Wajda

Joint Debtor(s):

Tamika Elaine Stepney

Represented By
Nicholas M Wajda

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 27, 2019

Hearing Room 126

10:00 AM

CONT... Julian Lamar Stepney and Tamika Elaine Stepney

Chapter 7

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 27, 2019

Hearing Room 126

10:00 AM

6:19-15600 Michael Joseph Caruso and Shawna Marie Porter

Chapter 7

#3.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Ford Motor Credit Company LLC vs. DEBTORS, Lynda T. Bui, trustee
(Motion filed 7/30/19)

Re: 2018 FORD F150 VIN 1FTEX1CB1JKD57505

EH_____

Docket 10

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Michael Joseph Caruso

Represented By
Todd L Turoci

Joint Debtor(s):

Shawna Marie Porter

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 27, 2019

Hearing Room 126

10:00 AM

CONT... Michael Joseph Caruso and Shawna Marie Porter

Chapter 7

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 27, 2019

Hearing Room 126

10:00 AM

6:19-15908 Brian Lee Kelley

Chapter 7

#4.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for relief from stay

Santander Consumer USA. Inc. vs DEBTOR, Charles W. Daff, Trustee
(Motion filed 7/26/19)

RE: 2018 Jeep Cherokee, VIN 1C4PJLCX0JD552419

EH ____

Docket 7

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Brian Lee Kelley

Represented By
Nicholas M Wajda

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 27, 2019

Hearing Room 126

11:00 AM

6:12-28006 City of San Bernardino, California

Chapter 9

#5.00

Hrg. on Debtor's Objection filed 7/25/19 to Claims of Placo San Bernardino, LLC (Proof of Claim No. 203)

EH_____

Docket 2872

***** VACATED *** REASON: Cont. to 10/22/19 @ 1:30 p.m. by order
signed on 8/12/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 27, 2019

Hearing Room 126

11:00 AM

6:19-13373 Benjamin Armando Mireles

Chapter 7

#6.00

Hrg. on U.S. Trustee's Motion filed 7/29/19 to Extend the Discharge and Dismissal Deadlines

EH_____

Docket 16

Tentative Ruling:

Tentative for 8/27/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Benjamin Armando Mireles	Pro Se
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Trustee(s):

Karl T Anderson (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 27, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#7.00

Hrg. on Debtor in Possession Motion 7/17/19 to Reject Lease or Executory Contract Debtor's and Unexpired Leases Pursuant to 11 U.S.C. Section 365(a)

EH_____

Docket 391

Tentative Ruling:

Tentative for 8/27/2019: The Court is inclined to grant the Motion provided that the Debtor satisfactorily addresses the following concerns: (1) that residents were provided sufficient notice that the Motion is a rejection of the identified residential agreements and (2) that the Motion sets forth procedures for residents to object to the amount of Entrance Fee Refund Liability they may be entitled to receive.

Westmont's limited objection is **OVERRULED**. The Court does not have sufficient information to determine whether the agreement regarding the Hobart Dishwasher is a contract of sale or a lease, however, the parties may have the pertinent information and should confer with each other regarding the dishwasher.

The opposition of the two residents is **OVERRULED**. Debtors have established that the residents are not entitled to any Entrance Fee Refund Liability pursuant to the relevant Residency Agreements.

Appearances are required.

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 27, 2019

Hearing Room 126

1:30 PM

CONT... Air Force Village West Inc

Chapter 11

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 27, 2019

Hearing Room 126

1:30 PM

6:19-13708 SIF Services, LLC

Chapter 11

#8.00

Keith C. Owens - movant attorney

Motion for Relief from Stay

BPP Shiraz Arch-3 LP vs. DEBTOR
(Motion filed 7/30/19)

Re: 1800 S Archibald Ave, Bldg. 3, Ontario, CA 91761

EH_____

Docket 128

Tentative Ruling:

Tentative for 8/27/19: The Court requires clarification regarding (1) whether assets of the Debtor's Estate are being stored on the leased property in addition to customer products, and (2) whether removal of customer products will result in additional claims against the Estate.

Appearances are required.

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox
W. Sloan Youkstetter
Janis G Abrams
Michael B Lubic

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 27, 2019

Hearing Room 126

1:30 PM

6:19-13708 SIF Services, LLC

Chapter 11

#9.00

Hrg. on BPP Shiraz Arch 3 LP Motion filed 7/30/19 For Allowance and to Compel Payment of Administrative Rent Claim

EH_____

Docket 129

Tentative Ruling:

Tentative for 8/27/19 is to CONTINUE to October 1, 2019 at 1:30 p.m. for purposes of allowing the Chapter 7 Trustee to weigh in.

Appearances are required.

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox
W. Sloan Youkstetter
Janis G Abrams
Michael B Lubic

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, August 27, 2019

Hearing Room 126

1:30 PM

6:19-13708 SIF Services, LLC

Chapter 11

#9.10

Hrg. on Debtor's Motion filed 8/6/19 to Convert Case From Chapter 11 to 7, or in the Alternative, Dismiss the Case LLC

EH_____

Docket 135

Tentative Ruling:

Tentative for 8/27/19 is to GRANT.

Appearances are required.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

SIF Services, LLC

Represented By

Steven R Fox

W. Sloan Youkstetter

Janis G Abrams

Michael B Lubic

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

10:00 AM

6:19-15497 Jesus Diaz

Chapter 7

#1.00

The Law Offices of Jason C. Tatman, A.P.C. - movant attorney

Motion for Relief from Stay

MTGLQ Investors, L.P. vs. DEBTOR
(Motion filed 8/9/19)

Re: 15708 Potomac Road, Apple Valley, CA 92307

EH_____

Docket 13

Tentative Ruling:

Tentative for 09/03/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver, contingent upon the Movant refile its supporting declaration to include declarant's title and capacity of employment prior to the scheduled hearing.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jesus Diaz

Represented By
James D. Hornbuckle

Trustee(s):

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

10:00 AM

CONT... **Jesus Diaz**
Karl T Anderson (TR)

Pro Se

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

10:00 AM

6:19-16584 Larry Anthony Santillo and Mildred May Santillo

Chapter 7

#2.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Cab West, LLC vs. DEBTORS; Robert Whitmore, Trustee
(Motion filed 8/6/19)

RE: 2016 FORD F150 VIN 1FTEW1EG2GKF70886

EH ____

(Tele. appr. Sheryl Ith, rep. creditor, Cab West)

Docket 10

Tentative Ruling:

Tentative for 09/03/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Larry Anthony Santillo

Represented By
Todd L Turoci

Joint Debtor(s):

Mildred May Santillo

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

10:00 AM

**CONT... Larry Anthony Santillo and Mildred May Santillo
Todd L Turoci**

Chapter 7

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

10:00 AM

6:19-16766 Angie Christina Campos

Chapter 7

#2.10

Law Offices of Vincent V. Frounjian, P.C. - movant attorney

Motion for Relief from Stay

American Honda Finance Corporation vs. DEBTOR, Charles W. Daff, chapter 7 trustee
(Motion filed 8/13/19)

Re: 2017 HONDA ACCORD, VIN: 1HGC R2F3 2HA3 02820

EH _____

Docket 30

Tentative Ruling:

Tentative for 09/03/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Angie Christina Campos

Represented By
Richard F Lemus

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

10:00 AM

CONT... Angie Christina Campos

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

10:00 AM

6:19-17280 Adrianna Alexis Jacsen

Chapter 7

#2.20

Andrew S. Cho - movant pro se

Motion for Relief from Stay

Andrew S. Cho vs. DEBTOR
(Motion filed 8/23/19)

Re: 13427 Pheasant Knoll Road, Eastvale, CA 92880

EH_____

Docket 10

Tentative Ruling:

Tentative for 09/03/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver. The request for extraordinary relief is denied because Movant has not provided evidence demonstrating that such relief is warranted.

Note: No court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

10:00 AM

CONT... Adrianna Alexis Jacsen

Chapter 7

Party Information

Debtor(s):

Adrianna Alexis Jacsen

Pro Se

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

11:00 AM

6:17-13972 Coracel Suratos Templo

Chapter 7

#3.00

Hrg. on Debtors' motion for Order to Show Cause Re: Civil Contempt and for an Order Holding Rebecca Jimenez and Jeffrey G. Jacobs in Civil Contempt

EH _____

Docket 17

*** VACATED *** REASON: Cont. to 9/17/19 -- jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Coracel Suratos Templo

Represented By
Neil R Hedtke
Christopher Hewitt

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

11:00 AM

6:17-15679 OCS Recovery, Inc.

Chapter 7

#4.00

Hrg. on chapter 7 trustee's Motion filed 7/18/19 Allowing Claim 2 filed by Prenovost Normandin Bergh & Dawe, APC as fully secured, not entitled to a dividend

EH_____

Docket 36

Tentative Ruling:

Tentative for 09/03/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days. The Court has

Party Information

Debtor(s):

OCS Recovery, Inc.

Represented By
Daniel King

Trustee(s):

John P Pringle (TR)

Represented By
Leonard M Shulman
Brandon J Iskander

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

11:00 AM

6:18-15711 Thomas Edward Jarfas

Chapter 7

#5.00

Hrg on Trustee's Final Report and Applications for Compensation

EH ____

Docket 32

Tentative Ruling:

Tentative for 09/03/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Thomas Edward Jarfas

Represented By
Paul M Stoddard

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

11:00 AM

6:18-18298 Jeffrey T. Hornung

Chapter 7

#6.00

Hrg on Trustee's Final Report and Applications for Compensation

EH ____

Docket 24

Tentative Ruling:

Tentative for 09/03/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jeffrey T. Hornung

Represented By
Patricia M Ashcraft

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

11:00 AM

6:19-16234 Justin Orrante and Yadira Orrante

Chapter 7

#7.00

Hrg. on U.S. Trustee's Motion filed 8/12/19 For Order Compelling Attorney To File Disclosure Of Compensation Pursuant To 11 U.S.C. 329 and Federal Rule of Bankruptcy Procedure 2016

EH_____

Docket 13

***** VACATED *** REASON: Withdrawal of motion filed 8/28/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Justin Orrante

Represented By
Danny Ceron

Joint Debtor(s):

Yadira Orrante

Represented By
Danny Ceron

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

1:30 PM

6:17-19048 Caroline C Mendoza

Chapter 11

#8.00

Hrg. on Chapter 11 Status Conference

(Cont. from 7/16/19)

EH_____

Docket 0

Tentative Ruling:

Tentative for 09/03/19:

In light of the Court's tentative for matter #9 to convert this case, this matter will go off calendar.

Appearances are required.

Party Information

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

1:30 PM

6:17-19048 Caroline C Mendoza

Chapter 11

#9.00

Hrg. on Order to Show Cause why this case should not be converted or dismissed

EH_____

Docket 0

Tentative Ruling:

Tentative for 09/03/19:

The Court is inclined to convert this case to Chapter 7, however, the Court would like to hear from the U.S. Trustee on this matter.

Appearances required.

Party Information

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 3, 2019

Hearing Room 126

1:30 PM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#10.00

Hrg. on Chapter 11 Status Conference

EH_____

(Cont. from 6/11/19)

(Tele. appr. Fredric Brandfon) rep. creditor, Inovo)

Docket 0

Tentative Ruling:

Tentative for 09/03/19:

This matter is CONTINUED to November 5, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub
Nina Z Javan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

10:00 AM

6:19-14495 Amy D Lammens

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and CarMax Auto Finance, in the amount of \$14,229.08

Re: 2015 Toyota Camry

Docket 11

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Amy D Lammens

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

10:00 AM

6:19-14507 Sheree Dorene Brown

Chapter 7

#2.00

Hrg. on approval of reaffirmation agreement Between Debtor and CarMax Auto Finance, in the amount of 3,639.86

Re: 2009 Kia Rio

Docket 10

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sheree Dorene Brown

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

10:00 AM

6:19-14898 Braulio Alberto Meza

Chapter 7

#3.00

Hrg on Approval of Reaffirmation Agreement Between Debtor and Kia Motors Finance in the amount of \$8,831.88

Re: 2015 KIA Optima

Docket 39

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Braulio Alberto Meza

Represented By
David Hernandez Jr

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

10:00 AM

6:19-15161 Joe Peralta

Chapter 7

#4.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and American Honda Finance Corporation, in the amount of \$5463.34

Re: 2017 Honda Rincon

Docket 14

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joe Peralta

Represented By
Mark D Edelbrock

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

10:00 AM

6:19-15187 Vicki A Garcia

Chapter 7

#5.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation, in the amount of \$10,241.48

Re: 2015 Toyota Yaris

Docket 9

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Vicki A Garcia

Pro Se

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

10:00 AM

6:19-15984 Elizabeth M Sanchez

Chapter 7

#6.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation, in the amount of \$36,316.15.

Re: 2017 Toyota Tacoma 4X

Docket 9

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Elizabeth M Sanchez

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

10:00 AM

6:19-15922 Maria Reyes

Chapter 7

#6.10

Hrg. on approval of Reaffirmation Agreement filed 8/15/19 Between Debtor and Toyota Motor Credit Corporation, in the amount of \$18,018.15

Re: 2017 Toyota Corolla

Docket 12

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria Reyes

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

10:00 AM

6:19-15922 Maria Reyes

Chapter 7

#6.20

Hrg. on approval of Reaffirmation Agreement filed 8/15/19 Between Debtor and Toyota Motor Credit Corporation, in the amount of \$27,967.86

Re: 2017 RAV4

Docket 11

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria Reyes

Pro Se

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

11:00 AM

6:19-13634 Nicole Rae Romero and Jason Travis Romero

Chapter 7

#14.00

Hrg. on Debtors' Motion filed 6/10/19 to Avoid Lien California Business Bureau, Inc./ Freedom Mortgage /The HERO Program with California Business Bureau, Inc.

EH_____

(Cont. from 8/6/19)

Docket 11

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 09/04/19 is to GRANT.

Appearances are excused.

Movant is to lodge an order within seven (7) days.

Tentative is to CONTINUE to 9/4/19 at 11:00 a.m. to allow Movant to effect proper service on the junior consensual lienholder, The Hero Program.

LBR 4003-2(C)(2) requires that the motion, notice, and supporting documents be served on any other holder of a lien or encumbrance against the subject property. However, it appears that the junior consensual lienholder, The Hero Program, was not served. Movant is instructed to serve the appropriate papers on The Hero Program in accordance with LBR 4003-2(C)(2), and to serve notice of the continued hearing date in accordance with LBR 9013-1.

If this service defect is corrected and no further opposition is filed, the Court is

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

11:00 AM

CONT... **Nicole Rae Romero and Jason Travis Romero** **Chapter 7**

inclined to grant the Motion. The Opposition filed on June 18, 2019 [Dk. 13] does not challenge the valuation of the property or any of the liens; it only challenges the inclusion of the junior consensual lienholder's lien value in the calculation for whether Debtors' exemption is impaired. However, the plain language of the statute contemplates inclusion of all liens that are not to be avoided, even junior consensual liens. See, *Moldo v. Charnock (In re Charnock)*, 318 B.R. 720, 727 (B.A.P. 9th Cir. 2004) (permitting full avoidance of a judicial lien notwithstanding that it was a junior consensual lien that increased the total liens to impair the Debtor's exemption, following the plain meaning of the statute in the face of competing policy arguments); see also *In re Hanger*, 217 B.R. 592 (BAP 9th Cir. 1997), aff'd 196 F.3d 1292 (9th Cir. 1999) (requiring avoidance of the most junior *involuntary* liens first and excluding junior liens which have been already been avoided from the impairment calculation).

Appearances are excused for the 8/6/19 hearing.

Party Information

Debtor(s):

Nicole Rae Romero

Represented By
Duane P Booth

Joint Debtor(s):

Jason Travis Romero

Represented By
Duane P Booth

Movant(s):

Nicole Rae Romero

Represented By
Duane P Booth
Duane P Booth
Duane P Booth

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

11:00 AM

CONT... Nicole Rae Romero and Jason Travis Romero
Jason Travis Romero Represented By
Duane P Booth

Chapter 7

Trustee(s):

Arturo Cisneros (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

6:14-19919 Pradeep Singh

Chapter 7

Adv#: 6:14-01302 Cooper et al v. Singh

#15.00

STATUS CONFERENCE Re: Complaint by William Cooper, Cheryl Cooper
against Pradeep Singh - §§ 523(a)(2), 523(a)(4)

(Cont. from 5/15/19)

EH_____

(Tele. appr. Robert Goe, rep. Defendant Pradeep Singh)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 09/04/19:

In light of the affirmed § 727 judgment in favor of U.S. Trustee, Debtor Pradeep Singh has no discharge as to any of his debts. Therefore, this adversary proceeding is moot and should be dismissed.

Appearances are required.

Party Information

3rd Party Defendant(s):

Pradeep Singh	Pro Se
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3rd Party Plaintiff(s):

Cheryl Cooper	Pro Se
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William Cooper	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

CONT... Pradeep Singh

Chapter 7

Debtor(s):

Pradeep Singh

Represented By
M Wayne Tucker

Defendant(s):

Pradeep Singh

Pro Se

Joint Debtor(s):

Rindi P Singh

Represented By
M Wayne Tucker

Plaintiff(s):

William Cooper

Represented By
Gregory W Brittain

Cheryl Cooper

Represented By
Gregory W Brittain

Trustee(s):

Arturo Cisneros (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (RS)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

6:14-19919 Pradeep Singh

Chapter 7

Adv#: 6:14-01300 Bruner et al v. Singh

#16.00

Status Conference re: Complaint by John Bruner, Irene Bruner against Pradeep Singh pursuant to §523(a)(2) and §523(a)(4)

(Cont. from 5/15/19)

EH_____

(Tele. appr. Robert Goe, rep. Defendant Pradeep Singh)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 09/04/19:

In light of the affirmed § 727 judgment in favor of U.S. Trustee, Debtor Pradeep Singh has no discharge as to any of his debts. Therefore, this adversary proceeding is moot and should be dismissed.

Appearances are required.

Party Information

Debtor(s):

Pradeep Singh

Represented By
M Wayne Tucker

Defendant(s):

Pradeep Singh

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

CONT... Pradeep Singh

Chapter 7

Joint Debtor(s):

Rindi P Singh

Represented By
M Wayne Tucker

Plaintiff(s):

John Bruner

Pro Se

Irene Bruner

Pro Se

Trustee(s):

Arturo Cisneros (TR)

Pro Se

Arturo Cisneros (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (RS)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

6:18-18200 John Obrien

Chapter 7

Adv#: 6:19-01086 United States Trustee for the Central District of v. Obrien et al

#17.00

STATUS CONFERENCE re: Complaint by United States Trustee for the Central District of California, Region 16 against John Obrien, Tracy Obrien - 727(c),(d),(e)

EH _____

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 09/04/19:

This matter is CONTINUED to December 4, 2019 at 1:30 p.m. A status report is due 14 days in advance. Counsel is invited to self-calendar related hearings on the date of the continued status conference, if desired.

Appearances are excused.

Party Information

Debtor(s):

John Obrien

Represented By
Christopher J Murtagh

Defendant(s):

John Obrien

Pro Se

Tracy Obrien

Pro Se

Joint Debtor(s):

Tracy Obrien

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

CONT... John Obrien

Chapter 7

Christopher J Murtagh

Plaintiff(s):

United States Trustee for the Central

Represented By
Everett L Green

Trustee(s):

Todd A. Frealy (TR)

Represented By
Christopher J Murtagh
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

6:19-10179 Hector M Araiza, Jr.

Chapter 7

Adv#: 6:19-01041 Barnes et al v. Araiza, Jr.

#18.00

Hrg. on Plaintiffs' Motion filed 7/24/19 For Summary Judgment

EH_____

Docket 13

***** VACATED *** REASON: Cont. to 9/18/19 @ 1:30 p.m. by order
signed on 9/3/19 - jc**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Revised Tentative for 09/04/19:

This matter has been VACATED. It is CONTINUED to 09/18/19 at 1:30 p.m. per stipulation of the parties, approved by an order entered 09/03/19.

Tentative for 09/04/19 is to DENY the motion for summary judgment.

Creditor has not met its burden to establish all elements of the claim for relief under Section 523(a)(2)(A) and demonstrate the absence of genuine issue of material facts.

It remains disputed as to whether Defendant had knowledge of the statement's falsity when it was made.

- Plaintiff does not clearly address this element in its Motion. Plaintiff only alleges that Defendant "represented to Plaintiffs that he had the appropriate licenses to perform the services provided in the agreement." (UF 6; Memo in Support of MSJ, pg. 2:20-21). However, this does not establish that Defendant knew at the time the agreement was signed, that Defendant had the incorrect license. Defendant asserts that at all times he believed he had the correct license and

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

CONT...

Hector M Araiza, Jr.

Chapter 7

sufficient knowledge to complete the work set forth in the contract.
See, Decl. of Defendant in Support of Opp. [Dk. 21; pg. 9:12-13]

It remains disputed as to whether Defendant made misrepresentations of fact with the intent to deceive Plaintiffs.

- It appears that Plaintiff requests this Court to infer actual intent through the Defendants act of affixing the contractor license that did not correspond to the company name on the contract. However, Plaintiff does not prove that such action was taken purposefully and not by accident.

Appearances required.

Party Information

Debtor(s):

Hector M Araiza Jr.

Represented By
W. Derek May

Defendant(s):

Hector M Araiza Jr.

Represented By
W. Derek May

Plaintiff(s):

Jeffrey Barnes

Represented By
Christopher D Hughes

Shirley A Barnes

Represented By
Christopher D Hughes

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

6:19-12074 Jason Ortiz

Chapter 7

Adv#: 6:19-01091 Commonwealth Land Title Insurance Company v. Ortiz et al

#19.00

STATUS CONFERENCE Re: Complaint by Commonwealth Land Title Insurance Company against Jason Ortiz, Brianna Ortiz - §§ 523(a)(2), (a)(6)

EH_____

(Tele. appr. Karen Ragland, rep. Assignee of Record, Commonwealth Land Title Inc. Co.)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 09/04/19:

The Court has reviewed the Motion for Relief from Default Judgement [Dk. 13] filed on August 12, 2019, by Debtors Jason Ortiz and Brianna Ortiz. In light of the foregoing, the Court finds good cause to set this matter for hearing, and CONTINUE the status conference, to November 20, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Jason Ortiz

Represented By
Natalie A Alvarado

Defendant(s):

Jason Ortiz

Pro Se

Brianna Ortiz

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

CONT... Jason Ortiz

Chapter 7

Joint Debtor(s):

Brianna Ortiz

Represented By
Natalie A Alvarado

Plaintiff(s):

Commonwealth Land Title Insurance

Represented By
Karen A Ragland

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

6:15-20279 Mohammad Far

Chapter 7

Adv#: 6:16-01018 O'Laverty et al v. Far et al

#20.00

STATUS CONFERENCE re Complaint by Ames Todd O'Laverty, Cheri O'Laverty, Merilee Sousa against Mohammad Far, Ruth Ann Far (§523(a)(2), § 523(a)(4), §523(a)(6))

(Cont. from 8/14/19)

EH _____

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 09/04/19:

This matter is CONTINUED to November 20, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Mohammad Far

Represented By
Stephen H Darrow

Defendant(s):

Mohammad Far

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

CONT... Mohammad Far

Chapter 7

Ruth Ann Far

Stephen H Darrow

Represented By
Stephen H Darrow

Joint Debtor(s):

Ruth Ann Far

Represented By
Stephen H Darrow

Plaintiff(s):

Ames Todd O'Laverty

Represented By
Ian Landsberg

Cheri O'Laverty

Represented By
Ian Landsberg

Merilee Sousa

Represented By
Ian Landsberg

Trustee(s):

Larry D Simons (TR)

Represented By
Howard M Ehrenberg
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

6:19-10980 Wesley L Stevens

Chapter 7

Adv#: 6:19-01078 Main Credit Corporation v. Stevens et al

#21.00

STATUS CONFERENCE re: Complaint by Main Credit Corporation against Wesley L Stevens, Vanessa Lyn Stevens - §§ 523(a)(2), 523(a)(4), 523(a)(6)

EH_____

(Cont. 8/14/19)

(Tele. appr. Kathryn Catherwood, rep. Main Credit Corporation)

(Tele. appr. Richard Hofman, rep. Defendants Mr. & Mrs. Stevens)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 09/04/19:

Appearances required.

Party Information

Debtor(s):

Wesley L Stevens

Represented By
Neil R Hedtke

Defendant(s):

Wesley L Stevens

Pro Se

Vanessa Lyn Stevens

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 4, 2019

Hearing Room 126

1:30 PM

CONT... Wesley L Stevens

Chapter 7

Joint Debtor(s):

Vanessa Lyn Stevens

Represented By
Neil R Hedtke

Plaintiff(s):

Main Credit Corporation

Represented By
Kathryn M.S. Catherwood

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 4, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

Adv#: 8:19-01080 Marshack v. Kassir

#7.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Deny Debtor's
Discharge Per 11 U.S.C. Section 727
(Complaint filed 5/6/19)
(Another summons issued 6/17/19)

FR: 8-7-19

Docket 1

***** VACATED *** REASON: CONTINUED TO OCTOBER 2, 2019 AT
11:00 A.M. PER ORDER CONTINUING HEARING ENTERED 8-28-19 -
(DOCKET NO.: [12])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hassan Abbas Kassir	Pro Se
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Defendant(s):

Hassan Abbas Kassir	Pro Se
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Plaintiff(s):

Richard A Marshack	Represented By Donald W Sieveke
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Trustee(s):

Richard A Marshack (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 4, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

Adv#: 8:19-01080 Marshack v. Kassir

#8.00

Hearing RE: Motion To Dismiss Complaint To Deny Debtor's Discharge Per 11 U.S.C. Section 727 For Failure To State A Claim, Or In The Alternative For A More Definite Statement
(Motion filed 7/17/19)

Docket 6

***** VACATED *** REASON: CONTINUED TO OCTOBER 2 AT 11:00
A.M. PER ORDER CONTINUING HEARING ENTERED 8-28-19 -
(DOCKET NO. [12])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hassan Abbas Kassir Pro Se

Defendant(s):

Hassan Abbas Kassir Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 4, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01081 Marshack v. Kassir

#9.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Deny Debtor's
Discharge Per 11 U.S.C. Section 727
(Complaint filed 5/6/19)
(Another summons issued 6/17/19)

FR: 8-7-19

Docket 1

***** VACATED *** REASON: CONTINUED TO OCTOBER 2, 2019 AT
11:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 8-28-19 - (DOCKET NO. [10])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sukeinah Hassan Kassir	Pro Se
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Defendant(s):

Sukeinah Hassan Kassir	Pro Se
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Plaintiff(s):

Richard A Marshack	Represented By Donald W Sieveke
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Trustee(s):

Richard A Marshack (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 4, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01130 Marshack v. Kassir et al

#10.00

Hearing RE: Motion To Dismiss Complaint To Deny Debtor's Discharge Per 11 U.S.C. Section 727 For Failure To State A Claim, Or In The Alternative For A More Definite Statement
(Motion filed 7/17/19)

Docket 6

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 18, 2019
AT 10:00 A.M. PER FIRST AMENDMENT FILED ON 8-16-19 - (DOCKET
NO. [8])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sukeinah Hassan Kassir Pro Se

Defendant(s):

Mohammad Mahdi Kassir Pro Se

Mohammad Abbas Kassir Pro Se

Ali Al-Hadi Kassir Pro Se

Sukeinah Kassir Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 4, 2019

Hearing Room 5C

11:00 AM

CONT... Sukeinah Hassan Kassir

Donald W Sieveke

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 4, 2019

Hearing Room 5C

11:00 AM

8:19-10661 Huy Quang Dao

Chapter 7

Adv#: 8:19-01109 Ho Jung Kim DDS, Inc. v. Dao et al

#11.00

STATUS CONFERENCE Hearing RE: Complaint Seeking Damages In Core Adversary Proceedings (Complaint filed 6/10/19)

[Tele. appr., Christian T. Kim, repr., Plaintiff, Ho Jung Kim]

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 09/04/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: 02/17/2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: 04/03/2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: 05/13/2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 4, 2019

Hearing Room 5C

11:00 AM

CONT... Huy Quang Dao

Chapter 7

Debtor(s):

Huy Quang Dao

Represented By
Denise Ho

Defendant(s):

Huy Quang Dao

Pro Se

Kellie Ho Ta

Pro Se

Joint Debtor(s):

Kellie Ho Ta

Represented By
Denise Ho

Plaintiff(s):

Ho Jung Kim DDS, Inc.

Represented By
Timothy McFarlin

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 4, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#12.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 4/15/19)

FR: 6/13/19; 6-27-19; 8-8-19

Docket 1

***** VACATED *** REASON: CONTINUED TO OCTOBER 2, 2019 AT 11:00 A.M. PER ORDER GRANTING CONTINUANCE ENTERED 8-12-19 - (DOCKET NO. [77])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 4, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#13.00

CONT'D Hearing RE: Motion For Dismissal, Or In The Alternative, Conversion
To Chapter 7
(Motion filed 5/31/19)

FR: 6-27-19; 8-8-19

Docket 46

***** VACATED *** REASON: CONTINUED TO OCTOBER 2, 2019 AT
11:00 A.M. PER ORDER GRANTING CONTINUANCE ENTERED 8-12-19
- (DOCKET NO. [77])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 4, 2019

Hearing Room 5C

11:00 AM

8:19-11889 Invensure Insurance Brokers, Inc.

Chapter 11

#14.10

Hearing RE: Motion For Relief From The Automatic Stay {Action In Non-Bankruptcy Forum] - RE: Demarco Arbtration

Invensure Insurance Brokers, Inc. - **RE: Demarco Arbitration**
(Motion filed 8/23/19)
(OST Entered 8/26/19)

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 09/04/2019:

The Court is not satisfied that sufficient notice has been provided to the U.S. Trustee as required by its Order [Dk. 70]. The Court also does not understand why the amount of the Demarco claim cannot be estimated for purposes of the filing a plan of reorganization. Further, Demarco has indicated his desire to have this Court adjudicate his claim, so the Court is inclined to continue this hearing to 9/18/19 at 11:00 a.m.

Appearances are required in person.

Party Information

Debtor(s):

Invensure Insurance Brokers, Inc.

Represented By
Carol Chow

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 5, 2019

Hearing Room 5C

11:00 AM

8:18-14425 Wallace Raymond Steffen, Jr

Chapter 11

Adv#: 8:19-01107 Steffen v. Steffen, Jr.

#1.00

STATUS CONFERENCE Hearing RE: Complaint To Determine
Nondischargeability Of Debt
[11 U.S.C. Section 523(a)(4)]
(Complaint filed 6/4/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 12, 2019
AT 11:00 A.M. PER ORDER ENTERED 6/21/19 (Docket No. [5])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wallace Raymond Steffen Jr

Represented By
Anerio V Altman

Defendant(s):

Wallace Raymond Steffen Jr.

Pro Se

Plaintiff(s):

Linda Steffen

Represented By
Christopher J Langley

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, September 12, 2019

Hearing Room 126

11:00 AM

6:19-17085 O'Linn Security Incorporated

Chapter 11

#6.00

Hrg. on Debtor's Motion filed 8/13/19 to Use Cash Collateral on an Interim and Final basis

EH_____

(Cont. from 8/15/19)

Docket 2

Tentative Ruling:

Tentative for 09/12/19:

In light of the stipulation with the secured creditor, the Court will GRANT the motion. However, for future motions regarding use of cash collateral, compliance with LBR 4001-2 regarding mandatory form F 4001-2.STMT.FINANCE will be required.

Party Information

Debtor(s):

O'Linn Security Incorporated

Represented By
Steven R Fox
W. Sloan Youkstetter

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, September 12, 2019

Hearing Room 126

11:00 AM

6:19-17085 O'Linn Security Incorporated

Chapter 11

#7.00

Hrg. on Debtor's Motion filed 8/13/19 For An Order Limiting Scope Of Notice

EH_____

(Cont. from 8/15/19)

Docket 5

Tentative Ruling:

Tentative for 09/12/2019:

Counsel is to appear and orally advise the Court as to the status of the putative class action and known claimants.

Appearances required.

Party Information

Debtor(s):

O'Linn Security Incorporated

Represented By
Steven R Fox
W. Sloan Youkstetter

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

10:00 AM

8:18-11615 Kimberly Autumn Lawson

Chapter 7

#1.00

Hearing RE: Motion In Individual Case For Order Confirming Termination Of Stay Under 11 U.S.C. Section 362(c)(3) Or That No Stay Is In Effect Under 11 U.S.C. Section 362(c)(4)(A)(ii)
(Motion filed 8/12/19)

[RE: 71 Circle Court, Mission Viejo, CA 92692]

Docket 36

Tentative Ruling:

Tentative for 09/12/19:

The Court is inclined to DENY this motion as Movant has not established that relief is warranted under the law asserted and the Court is not inclined to issue an advisory opinion.

Appearances are required.

Party Information

Debtor(s):

Kimberly Autumn Lawson

Represented By
Andrew S Bisom

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

10:00 AM

8:19-11411 Anthony Nicholas Package and Susan Louise Petrella

Chapter 7

#2.00

Motion for relief from stay [Real Property]

JPMorgan Chase Bank, National Association vs. DEBTORS
(Motion filed 7/31/19)

[RE: 2455 Cambridge Avenue, Fullerton, CA 92835]

Docket 26

Tentative Ruling:

Tentative for 09/12/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Anthony Nicholas Package

Represented By
Deborah Young

Joint Debtor(s):

Susan Louise Petrella

Represented By
Deborah Young

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

10:00 AM

8:19-12070 Mickey Bright and Shella Chapman

Chapter 7

#3.00

Motion for relief from stay [Real Property]

Wells Fargo Bank, N.A. vs. DEBTORS
(Motion filed 8/12/19)

[RE: 6062 Arden Court, Morrow, GA 30260]

Docket 13

Tentative Ruling:

Tentative for 09/12/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Mickey Bright

Represented By
Gary Polston

Joint Debtor(s):

Shella Chapman

Represented By
Gary Polston

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

10:00 AM

8:19-12155 Trang Le

Chapter 7

#4.00

Motion for relief from stay [Personal Property]

Toyota Lease Trust vs. DEBTOR
(Motion filed 7/25/19)

[RE: 2016 Toyota Sienna - 5TDYK3DC8GS744102]

Docket 11

Tentative Ruling:

Tentative for 09/12/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Trang Le

Pro Se

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

10:00 AM

8:19-12599 Jino Remoquillo and Elizabeth Remoquillo

Chapter 7

#5.00

Motion for relief from stay [Personal Property]

Toyota Motor Credit Corporation vs. DEBTORS
(Motion filed 7/29/19)

[RE: 2018 Toyota Sienna -VIN No.: 5TDKZ3DC9JS942020]

Docket 8

Tentative Ruling:

Tentative for 09/12/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jino Remoquillo

Represented By
Scott Dicus

Joint Debtor(s):

Elizabeth Remoquillo

Represented By
Scott Dicus

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

11:00 AM

8:14-14105 Randall William Blanchard

Chapter 11

#8.00

Hearing RE: Motion For Approval Of Distribution Of Seasmoke Project Proceeds
(Motion filed 8/13/19)

Docket 785

Tentative Ruling:

Tentative for 09/12/19:

Personal appearances in courtroom 5C will be required. No telephonic appearances will be permitted.

Party Information

Debtor(s):

Randall William Blanchard

Represented By
Marc J Winthrop
Garrick A Hollander
Jacob C Gonzales

Trustee(s):

Richard Pachulski (TR)

Represented By
Teddy M Kapur
Jeremy V Richards

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#9.00

Hearing RE: Sixth And Final Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For Debtor CA Express, LLC, **Only** For The Period From April 7, 2019 Through May 29, 2019
(Application filed 7/15/19)

**[RE: SMILEY WANG-EKVALL, LLP - Attorneys For CA Express Fund, LLC]
[Fees: \$856.50; Expenses: \$0.60]**

Docket 958

Tentative Ruling:

Tentative for 09/12/19 is to APPROVE.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

11:00 AM

CONT...

WJA Asset Management LLC

Kathy Bazoian Phelps
Timothy W Evanston

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#10.00

Hearing RE: Sixth And Final Application For Order Seeking Allowance And Payment Of Previously Allowed Interim Fees On A Final Basis For CA Express Fund, LLC **ONLY**, For The Period From June 7, 2017 Through May 29, 2019 (Application filed 7/15/19)

**[RE: MENCHACA & COMPANY LLP - Accountant For Debtors And Debtors-In-Possession]
[Fees: \$7,272.00; Expenses: \$0.00]**

Docket 960

Tentative Ruling:

Tentative for 09/12/19 is to APPROVE.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#11.00

Final Application For Order Seeking Allowance Of Previously Allowed And Paid Interim Fees On A Final Basis For WJA Real Estate Opportunity Fund II, LLC **ONLY**, For The Period From June 7, 2017 Through June 10, 2019 (Application filed 7/23/19)

**[RE: MENCHACA & COMPANY LLP - Accountant For Debtors And Debtors-In-Possession]
[Fees: \$29,563.92; Expenses: \$0.00]**

Docket 972

Tentative Ruling:

Tentative for 09/12/19 is to APPROVE.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#12.00

Hearing RE: Sixth And Final Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For Debtor WJA Real Estate Opportunity Fund II, LLC, **Only** For The Period From April 7, 2019 Through June 10, 2019 (Application filed 7/25/19)

**[RE: SMILEY WANG-EKVALL, LLP - Attorneys For Debtor and Debtor-In-Possession WJA Real Estate Opportunity Fund II, LLC]
[Fees: \$20,332.50; Expenses: \$104.12]**

Docket 975

Tentative Ruling:

Tentative for 09/12/19 is to APPROVE the amounts requested in Section IX of the Application.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Sefflin
Steven T Gubner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

11:00 AM

8:18-14425 Wallace Raymond Steffen, Jr

Chapter 11

Adv#: 8:19-01107 Steffen v. Steffen, Jr.

#13.00

STATUS CONFERENCE Hearing RE: Complaint To Determine
Nondischargeability Of Debt
[11 U.S.C. Section 523(a)(4)]
(Complaint filed 6/4/19)

FR: 9/5/19

Docket 1

Tentative Ruling:

Tentative for 09/12/19:

Having received and reviewed the latest Joint Status Report [Dk. 7], the Court notes that the report does not clearly provide the status of the State Probate Action. Therefore, appearances are required and the Parties should be prepared to provide a concise, oral status of the State Probate Action at the September 12, 2019 hearing. If continued, the Court is inclined to set the continued status conference for December 19, 2019 at 11:00 a.m.

Party Information

Debtor(s):

Wallace Raymond Steffen Jr

Represented By
Anerio V Altman

Defendant(s):

Wallace Raymond Steffen Jr.

Pro Se

Plaintiff(s):

Linda Steffen

Represented By
Christopher J Langley

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

11:00 AM

8:19-12739 Maria Julia Higueros

Chapter 11

#14.00

STATUS CONFERENCE Hearing RE: (1) Case Management Conference And
(2) Requiring Status Report
(Petition filed 7/15/19)

Docket 1

Tentative Ruling:

Tentative for 09/12/19 is to set the dates/deadlines, as follows:

1. The deadline to file a plan and disclosure statement - November 7, 2019. Debtor is to set the hearing date for approval of the disclosure statement as December 19, 2019. Debtor's proposed deadline is shortened by one day to allow for compliance with LBR 3017-1(a) (notice of a disclosure statement hearing requires 42 days). The failure to timely file a plan and/or disclosure statement may result in the dismissal or conversion of the case.

2. Continued status conference - December 19, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Debtor is to submit a scheduling order within seven (7) days.

Party Information

Debtor(s):

Maria Julia Higueros

Represented By
Giovanni Orantes

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 12, 2019

Hearing Room 5C

11:00 AM

8:19-12448 Lightning Technology, Inc.

Chapter 11

#15.00

Hearing RE: Motion To Approve Compromise With Travis Jesperson
(Motion filed 7/31/19)

Docket 72

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION DISMISSING CASE ENTERED 8-7-19 - (DOCKET NO.
[79])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lightning Technology, Inc.

Represented By
Bert Briones

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

10:00 AM

6:18-19174 Cecil Jerry Edens, Jr

Chapter 7

#1.00

Barrett Daffin Frappier Treder & Weiss, LLP - movant attorney

Motion for Relief from Stay

The Bank of New York Mellon vs. DEBTOR
(Motion filed 12/10/18)

(Cont. from 6/25/19)

Re: 45251 Saint Tisbury Street, Temecula, CA 92592

EH_____

Docket 29

***** VACATED *** REASON: Stipulation/Order to continue to 10/24/19 at
10:00 a.m. - yg**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cecil Jerry Edens Jr

Represented By
Joseph A West

Movant(s):

The Bank of New York Mellon,

Represented By
Darlene C Vigil

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

10:00 AM

6:19-10538 Raymond Richard Quinto,, Jr.

Chapter 7

#2.00

Bonial & Associates, P.C. - movant attorney

Motion for Relief from Stay

Fifth Third Bank vs. DEBTOR
(Motion filed 8/14/19)

Re: 2017 Can Am

EH_____

(Tele. appr. Stephen Hicklin, rep. movant, Fifth Third Bank)

Docket 89

Tentative Ruling:

Tentative for 09/17/19 is to DENY this matter as moot.

On August 8, 2019, the Court granted the Trustee's Proposed Abandonment of Property of the Estate [Dk. 88], which included the 2017 Can-Am X3 All-Terrain Vehicle, that is the same property subject to this Motion for Relief from Stay. Since the property has been abandoned, the automatic stay no longer applies.

If the Movant does not oppose this tentative ruling, appearances are excused. Movant is to lodge an order within seven (7) days.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

10:00 AM

CONT... Raymond Richard Quinto,, Jr.

Chapter 7

Party Information

Debtor(s):

Raymond Richard Quinto, Jr.

Represented By
John D Faucher

Trustee(s):

Steven M Speier (TR)

Represented By
Robert P Goe
Elizabeth A LaRocque

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

10:00 AM

6:19-14100 Eyvette L Williams

Chapter 7

#3.00

Law Offices of Bruce P. Needleman - movant attorney

Motion for Relief from Stay

Kinecta Federal Credit Union vs. DEBTOR
(Motion filed 6/26/19)

Re: 2016 KIA OPTIMA-VIN: 5XXGU4L33GG0222731

EH_____

(Cont. from 8/6/19)

Docket 8

Tentative Ruling:

Tentative for 09/17/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Tentative for 8/6/19 is to DENY for improper service. Alaska USA FCU, the entity scheduled by Debtor as lienholder, was not served as required by LBR 4001-1(c)(1)(C)(iv).

Appearances required.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

10:00 AM

CONT... Eyvette L Williams

Chapter 7

Debtor(s):

Eyvette L Williams

Represented By
Neil R Hedtke

Movant(s):

Kinecta Federal Credit Union

Represented By
Bruce P. Needleman

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

10:00 AM

6:19-14968 Michael James Lopez and Natellie Nicole Marie Lopez

Chapter 7

#4.00

ZBS Law, LLP - movant attorney

Motion for Relief from Stay

Broker Solutions, Inc. vs. DEBTORS
(Motion filed 8/15/19)

Re: 42511 MAY PEN RD, BERMUDA DUNES, CA 92203

EH_____

Docket 15

Tentative Ruling:

Tentative for 09/17/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Michael James Lopez

Represented By
Curtis A Cavalletto

Joint Debtor(s):

Natellie Nicole Marie Lopez

Represented By
Curtis A Cavalletto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

10:00 AM

CONT... Michael James Lopez and Natellie Nicole Marie Lopez

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

10:00 AM

6:19-16060 Benjamin Sanchez and Consuelo Sanchez

Chapter 7

#5.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Americredit Financial Services, Inc. vs. DEBTOR, Steven. M. Speier, trustee
(Motion filed 8/15/19)

Re: 2016 Nissan Sentra, VIN: 3N1AB7AP1GL672183

EH_____

Docket 13

Tentative Ruling:

Tentative for 09/17/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Benjamin Sanchez

Represented By
James Geoffrey Beirne

Joint Debtor(s):

Consuelo Sanchez

Represented By
James Geoffrey Beirne

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

10:00 AM

CONT... Benjamin Sanchez and Consuelo Sanchez

Chapter 7

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

10:00 AM

6:19-16682 Nicolas David Snyder and Amanda Michelle Krafft

Chapter 7

#6.00

Sheppard, Mullin, Richter & Hampton, LLP - movant attorney

Motion for Relief from Stay

San Diego County Credit Union vs. DEBTORS
(Motion filed 8/22/19)

RE: 2012 Jeep Patriot with Exhibits A-C

EH ____

(Tele. appr. Lisa Yun, rep. movant, San Diego County Credit Union)

Docket 8

Tentative Ruling:

Tentative for 09/17/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Nicolas David Snyder

Represented By
Kristin R Lamar

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

10:00 AM

CONT... Nicolas David Snyder and Amanda Michelle Krafft

Chapter 7

Joint Debtor(s):

Amanda Michelle Krafft

Represented By
Kristin R Lamar

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

11:00 AM

6:16-19250 Kim Han Do

Chapter 7

#7.00

Hrg. on approval of trustee's final report and applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 09/17/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Kim Han Do

Represented By
Michael G Spector

Trustee(s):

Arturo Cisneros (TR)

Represented By
Thomas H Casey
Kathleen J McCarthy

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

11:00 AM

6:17-18870 Rozann Sunderland

Chapter 7

#8.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 09/17/19 is to approve as requested and modified by stipulation between the United States Trustee and Chapter 7 Trustee filed on 08/15/19 [Dk. 78].

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Rozann Sunderland

Represented By
Yolanda Flores-Burt

Trustee(s):

Karl T Anderson (TR)

Represented By
Lynda T Bui

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

11:00 AM

6:19-11039 Pablo Caudel

Chapter 7

#9.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 22

Tentative Ruling:

Tentative for 09/17/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Pablo Caudel

Represented By
Daniel King

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

11:00 AM

6:17-13972 Coracel Suratos Templo

Chapter 7

#10.00

Hrg. on Debtors' motion for Order to Show Cause Re: Civil Contempt and for an Order Holding Rebecca Jimenez and Jeffrey G. Jacobs in Civil Contempt

EH _____

(Cont. from 9/3/19)

Docket 17

Tentative Ruling:

Tentative for 09/17/2019:

Appearances are required in person.

Party Information

Debtor(s):

Coracel Suratos Templo

Represented By
Neil R Hedtke
Christopher Hewitt

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

11:00 AM

6:18-19174 Cecil Jerry Edens, Jr

Chapter 7

#11.00

Hrg. on chapter 7 trustee's Motion filed 9/9/19 (1) Approving Short Sale of Real Property of the Estate Free and Clear of Liens Pursuant to Bankruptcy Code §§ 363(b) and 363(f); (2) Approving Payment of Real Estate Commissions, and Granting Related Relief

(OST signed 9/10/19)

EH_____

Docket 60

Tentative Ruling:

Tentative for 09/17/19:

On September 10, 2019, the Court approved the Order Shortening Time on Hearing [Dk. 63] and subsequently set this hearing date. Opposition to the motion may be made orally at the hearing. The Court is inclined to GRANT the motion as it is in the best interest of the estate.

Appearances required.

Party Information

Debtor(s):

Cecil Jerry Edens Jr

Represented By
Joseph A West

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

11:00 AM

CONT... Cecil Jerry Edens, Jr

Chapter 7

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#12.00

Hrg. on Dentons US LLP First Interim Fee Application For Allowance And Payment Of Interim Compensation And Reimbursement Of Expenses for Samuel R Maizel, Debtor's Attorney, Period: 3/10/2019 to 7/31/2019, Fee: \$1,101,903.55, Expenses: \$24,905.19

EH _____

Docket 429

Tentative Ruling:

Tentative for 09/17/19 is to approve as requested and modified by the stipulation between the United States Trustee and Applicant, filed on 09/15/19 [Dk. 452], and as set forth in the Supplemental Declaration filed 09/16/19 [Dk. 453].

Note: This matter appears to be uncontested. Accordingly, no court appearance is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Applicant will be so notified.

Applicant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#13.00

Hrg. on Receiver Professionals First Interim Application for Allowance for Peter F Jazayeri, Other Professional, Period: 3/10/2019 to 7/31/2019, Fee: \$20,392.50, Expenses: \$941.25, for Cordes and Company, LLC, Other Professional, Period: 3/10/2019 to 7/31/2019, Fees: \$195,975.00, Expenses: \$347.66

EH _____

Docket 431

Tentative Ruling:

Tentative for 09/17/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Applicant will be so notified.

Applicant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#14.00

Hrg. on Counsel for the Official Committee of Unsecured Creditors First Interim Fee Application of Perkins Coie LLP for allowance and payment of interim compensation and reimbursement of expenses for the period from April 5, 2019 through July 31, 2019, Fees \$367,702.98, Expenses: \$2,525.49

EH_____

Docket 434

Tentative Ruling:

Tentative for 09/17/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Applicant will be so notified.

Applicant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#15.00

Hrg. on Application for Compensation Second And Final Application Of Winthrop Couchot Golubow Hollander, LLP, General Insolvency Counsel For The Debtor, For Compensation And Reimbursement Of Expenses; Period: 11/19/2018 to 6/16/2019, Fee: \$448,266.00, Expenses: \$14,587.13

EH_____

(Tele. appr. Chris Carlsson, rep. Debtor, Lovejoy's Family Moving, Inc.)

Docket 329

Tentative Ruling:

Tentative for 09/17/19 is to approve as requested and modified by stipulation between United States Trustee and Applicant, filed on 09/04/19 [Dk. 340].

Note: This matter appears to be uncontested. Accordingly, no court appearance is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Applicant will be so notified.

Applicant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes

Peter W Lianides

Alastair M Gesmundo

Robert E Opera

Winthrop Couchot Golubow Hollander LLP)

Lisa Fogel & Associates

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, September 17, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#16.00

Hrg. on Application for Compensation (Renewed First & Final) of Illyssa I. Fogel & Associates, Former General Bankruptcy Counsel to the Debtor. for Illyssa I Fogel, Debtor's Attorney, Period: 8/6/2018 to 11/19/2018, Fee: \$105,510.00, Expenses: \$356.00

EH_____

Docket 333

***** VACATED *** REASON: Cont. to 10/22/19 @ 1:30 p.m. – yg**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes

Peter W Lianides

Alastair M Gesmundo

Robert E Opera

Winthrop Couchot Golubow Hollander LLP)

Lisa Fogel & Associates

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 18, 2019

Hearing Room 126

1:30 PM

6:18-18354 Luis Manuel Jimenez

Chapter 7

Adv#: 6:19-01045 Daff, Chapter 7 Trustee v. Jimenez

#17.00

STATUS CONFERENCE re: Complaint by Charles W. Daff, Chapter 7 Trustee
against Rocio Jimenez - 542 turnover of property

(Cont. from 6/26/19)

EH _____

Docket 1

***** VACATED *** REASON: Cont. to 12/18/19 at 1:30 pm**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luis Manuel Jimenez

Represented By
Brian J Soo-Hoo

Defendant(s):

Rocio Jimenez

Pro Se

Plaintiff(s):

Charles W. Daff, Chapter 7 Trustee

Represented By
Brandon J Iskander

Trustee(s):

Charles W Daff (TR)

Represented By
Brandon J Iskander
Lynda T Bui

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 18, 2019

Hearing Room 126

1:30 PM

6:19-12648 Karina Vazquez

Chapter 7

Adv#: 6:19-01094 Ruiz Sanchez v. Vazquez

#18.00

STATUS CONFERENCE re: Complaint by Jose Augusto Ruiz Sanchez against Karina Vazquez . false pretenses, false representation, actual fraud)) ,(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)) ,(61 (Dischargeability - 523(a)(5), domestic support))

EH_____

Docket 1

*** VACATED *** REASON: Notice of Voluntary Dismissal of Adversary Proceeding filed 7/10/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Karina Vazquez

Represented By
Keith Q Nguyen

Defendant(s):

Karina Vazquez

Represented By
Keith Q Nguyen

Plaintiff(s):

Jose Augusto Ruiz Sanchez

Represented By
Lee W Gale

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 18, 2019

Hearing Room 126

1:30 PM

6:19-10179 Hector M Araiza, Jr.

Chapter 7

Adv#: 6:19-01041 Barnes et al v. Araiza, Jr.

#19.00

Hrg. on Plaintiffs' Motion filed 7/24/19 For Summary Judgment

EH_____

(Cont. from 9/4/19)

Docket 13

Tentative Ruling:

Tentative for 09/18/19 is to DENY the motion for summary judgment.

Creditors have not met their burden to (1) establish all elements of the claim for relief under Section 523(a)(2)(A) and (2) demonstrate the absence of genuine issues of material facts.

It remains disputed as to whether Defendant had knowledge of the statement's falsity when it was made.

- Plaintiffs do not clearly address this element in their Motion. Plaintiffs only alleges that Defendant "represented to Plaintiffs that he had the appropriate licenses to perform the services provided in the agreement." (UF 6; Memo in Support of MSJ, pg. 2:20-21). However, this does not establish that Defendant knew at the time the agreement was signed, that Defendant had the incorrect license. Defendant asserts that at all times he believed he had the correct license and sufficient knowledge to complete the work set forth in the contract. See, Decl. of Defendant in Support of Opp. [Dk. 21; pg. 9:12-13]

It remains disputed as to whether Defendant made misrepresentations of fact with the intent to deceive Plaintiffs.

- It appears that Plaintiffs request that this Court infer actual intent through the Defendant's act of affixing the contractor license that did

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, September 18, 2019

Hearing Room 126

1:30 PM

CONT...

Hector M Araiza, Jr.

Chapter 7

not correspond to the company name on the contract. However, Plaintiffs do not prove that such action was taken purposefully and not by accident.

Appearances required.

Party Information

Debtor(s):

Hector M Araiza Jr.

Represented By
W. Derek May

Defendant(s):

Hector M Araiza Jr.

Represented By
W. Derek May

Plaintiff(s):

Jeffrey Barnes

Represented By
Christopher D Hughes

Shirley A Barnes

Represented By
Christopher D Hughes

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

Adv#: 8:19-01002 Morgan v. Lopez et al

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Preliminary And Permanent Injunction Barring Creditors From Taking Action
Against State Court Codefendants Pursuant To 11 U.S.C. Section 105; And
(2) To Avoid Transfer Of An Interest In Real Property;
Verification Of Brooks T Morgan
(Complaint filed 1/3/19)

FR: 3-21-19; 5-2-19

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT
11:00 A.M. PER ORDER APPROVING TRUSTEE'S MOTION TO
CONTINUE ENTERED 9-13-19 - (DOCKET NO. [18])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Defendant(s):

Joanna N Lopez

Pro Se

Maria Arellano

Pro Se

Plaintiff(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01130 Marshack v. Kassir et al

#2.00

Hearing RE: Motion To Dismiss Complaint To Avoid Fraudulent Transfers For Failure To State A Claim, Or In The Alternative For A More Definite Statement (Motion filed 8/12/19)

Docket 10

***** VACATED *** REASON: CONTINUED TO OCTOBER 2, 2019 AT
11:00 A.M. PER ORDER CONTINUING HEARING ENTERED 9-9-19 -
(DOCKET NO. [18])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sukeinah Hassan Kassir Pro Se

Defendant(s):

Mohammad Mahdi Kassir Pro Se

Mohammad Abbas Kassir Pro Se

Ali Al-Hadi Kassir Pro Se

Sukeinah Kassir Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01130 Marshack v. Kassir et al

#3.00

Hearing RE: Motion To Quash Bank Of America Subpoenas To Produce Documents For Mohammad Mahdi Kassir, Nour Almouazzen, Mohammad Abbas Kassir, Ali Kassir, Zeinab Kachakeche, Osmiasoft Corp. And Fin.Solutions Inc.
(Motion filed 7/23/19)

Docket 8

***** VACATED *** REASON: OFF CALENDAR - ORDER DENYING
MOTION TO QUASH AS MOOT ENTERED 9-11-19 - (DOCKET NO.
[20])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sukeinah Hassan Kassir Pro Se

Defendant(s):

Mohammad Mahdi Kassir Pro Se

Mohammad Abbas Kassir Pro Se

Ali Al-Hadi Kassir Pro Se

Sukeinah Kassir Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01130 Marshack v. Kassir et al

#4.00

STATUS CONFERENCE Hearing RE: Complaint To Avoid Fraudulent Transfers
(Complaint filed 7/2/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO OCTOBER 2, 2019 AT
11:00 A.M. PER ORDER CONTINUING HEARING ENTERED 9-9-19 -
(DOCKET NO. [18])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sukeinah Hassan Kassir	Pro Se
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Defendant(s):

Mohammad Mahdi Kassir	Pro Se
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Mohammad Abbas Kassir	Pro Se
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Ali Al-Hadi Kassir	Pro Se
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Sukeinah Kassir	Pro Se
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Plaintiff(s):

Richard A Marshack	Represented By Donald W Sieveke
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Trustee(s):

Richard A Marshack (TR)	Represented By Donald W Sieveke
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01176 Marshack, Ch 7 Trustee v. Castanon

#5.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For:

1. Breach Of Fiduciary Duty
 2. Conversion
 3. Negligence
 4. Waste of Corporate Assets
- (Complaint filed 9/14/18)
(PTC set at S/C held 12/19/18)

FR: 12-5-18 AT 10:00 a.m.; 12-5-18; 12-19-18; 7-17-19

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 6, 2019 AT
11:00 A.M. PER ORDER GRANTING STIPULATION TO CONTINUE OR
CONVERT THE PRETRIAL ENTERED 9-13-19 - (DOCKET NO. [42])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Michael E Castanon

Pro Se

Plaintiff(s):

Richard A Marshack, Ch 7 Trustee

Represented By
Marsha A Houston

Trustee(s):

Richard A Marshack (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01049 Marshack v. Richmond Capital Group

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:

- (1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
- (2) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
- (3) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
- (4) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
- (5) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
- (6) Predatory Lending Pursuant To California Business And Professions Code Section 17200;
- (7) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
- (8) Declaratory Relief
(Complaint filed 3/20/19)

FR: 6-26-19; 8-7-19

Docket 1

Tentative Ruling:

Tentative for 09/18/2019:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: February 17, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: March 30, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: May 13, 2020 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC
dismissal of the complaint.

Chapter 7

Plaintiff is to lodge a scheduling order within seven (7) days.

Appearances required.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Richmond Capital Group

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01051 Marshack v. Yes Funding Services LLC

#7.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:

- (1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
- (2) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
- (3) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
- (4) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
- (5) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
- (6) Predatory Lending Pursuant To California Business And Professions Code Section 17200;
- (7) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
- (8) Declaratory Relief
(Complaint filed 3/20/19)

FR: 6-26-19; 8-7-19

Docket 1

Tentative Ruling:

Tentative for 09/18/19:

The Court will CONTINUE this matter to November 6, 2019 at 10:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Yes Funding Services LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01048 Marshack v. Queen Funding LLC

#8.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:

- (1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
- (2) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
- (3) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
- (4) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
- (5) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
- (6) Predatory Lending Pursuant To California Business And Professions Code Section 17200;
- (7) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
- (8) Declaratory Relief
(Complaint filed 3/20/19)
(Another Summons issued 6/27/19)

FR: 6/26/19

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 6, 2019 AT
10:00 A.M. PER ORDER APPROVING STIPULATION ENTERED 9-4-19 -
(DOCKET NO. [28])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Queen Funding LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01050 Marshack v. Yellowstone Capital West, LLC

#9.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
(2) Avoidance Of Post-Petition Transfers Pursuant To 11 U.S.C. Section 549(a);
(3) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
(4) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
(5) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
(6) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
(7) Predatory Lending Pursuant To California Business And Professions Code Section 17200;
(8) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
(9) Declaratory Relief
(Complaint filed 3/20/19)

FR: 6-26-19; 8-7-19

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 6, 2019 AT
11:00 A.M. PER ORDER APPROVING STIPULATION ENTERED 8-2-19 -
(DOCKET NO. [20])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Yellowstone Capital West, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

8:18-13532 Tiphonie Jennifere Jordan

Chapter 7

Adv#: 8:19-01007 WJA Asset Management LLC et al v. Jordan et al

#10.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Deny Community Property Discharge Under 11 U.S.C. Section 524(a)(3)
(Complaint filed 1/7/19)
(Another Summons issued 3-28-19)

FR: 4-3-19; 6-26-19

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 22, 2020 AT
10:00 A.M. PER ORDER APPROVING STIPULATION ENTERED 8-9-19 -
(DOCKET NO. [15])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tiphonie Jennifere Jordan

Represented By
Leonard M Shulman

Defendant(s):

William M Jordan

Pro Se

Tiphonie Jennifere Jordan

Pro Se

Plaintiff(s):

Secure California Income Fund LLC

Represented By
Kyra E Andrassy

California Indexed Growth Fund

Represented By
Kyra E Andrassy

CA Real Estate Opportunity Fund II

Represented By
Kyra E Andrassy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

CONT... Tiphanie Jennifere Jordan Chapter 7

CA Real Estate Opportunity Fund I	Represented By Kyra E Andrassy
William Jordan Investments Inc	Represented By Kyra E Andrassy
WJA Secure Income Fund LLC	Represented By Kyra E Andrassy
WJA Secure Real Estate Fund LLC	Represented By Kyra E Andrassy
WJA Real Estate Opportunity Fund	Represented By Kyra E Andrassy
WJA Real Estate Opportunity Fund I	Represented By Kyra E Andrassy
WJA Express Fund LLC	Represented By Kyra E Andrassy
Whirl Fund LLC	Represented By Kyra E Andrassy
Urban Produce Fund LLC	Represented By Kyra E Andrassy
TD Opportunity Fund LLC	Represented By Kyra E Andrassy
CA Real Estate Opportunity Fund III	Represented By Kyra E Andrassy
Prosper Managed Fund LLC	Represented By Kyra E Andrassy
PMB Managed Fund LLC	Represented By Kyra E Andrassy
Luxury Asset Purchasing	Represented By Kyra E Andrassy
Equity Indexed Managed Fund LLC	Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room

5C

10:00 AM

CONT... Tiphonie Jennifere Jordan

Chapter 7

Kyra E Andrassy

Clairton Residential Renewal LLC

Represented By
Kyra E Andrassy

CA Whirl Fund LLC

Represented By
Kyra E Andrassy

CA See Jane Go Fund LLC

Represented By
Kyra E Andrassy

CA Express Fund LLC

Represented By
Kyra E Andrassy

Alabama Housing Fund LLC

Represented By
Kyra E Andrassy

5827 Winland Hills Drive

Represented By
Kyra E Andrassy

WJA Asset Management LLC

Represented By
Kyra E Andrassy

TD REO Fund LLC

Represented By
Kyra E Andrassy

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

8:19-11334 Tram Anh Phan

Chapter 7

Adv#: 8:19-01151 Murrin v. Phan

#10.10

Hearing RE: Debtor/Defendant Tram A. Phan's Motion To Dismiss Adversary Complaint
(Motion filed 8/22/19)

Docket 3

Tentative Ruling:

Tentative for 09/18/19 is to GRANT the Motion to Dismiss with leave to amend.

To survive a motion to dismiss, a complaint must allege "enough facts to state a claim to relief that is plausible on its face." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). In deciding whether Plaintiff has stated a claim upon which relief can be granted, the Court must draw all reasonable inferences in favor of the nonmoving party. *Cholla Ready Mix, Inc. v. Civish*, 382 F.3d 969, 973 (9th Cir. 2004) (citing *Karam v. City of Burbank*, 352 F.3d 1188, 1192 (9th Cir. 2003)).

Debtor has satisfied his burden to prove that the facts alleged in Plaintiff's complaint are implausible or lack particularity, or, in the alternative, that Plaintiff has not provided enough fact to allow Debtor to reasonably prepare a response. Plaintiff failed to plead with particularity the circumstances constituting fraud or mistake.

The Court notes that the Complaint is Plaintiff's first attempt to articulate a claim upon which relief may be granted and therefor will give leave to amend. Plaintiff may file an amended complaint within 14 days of the entry of order granting this Motion. The Court cautions Plaintiff to carefully consider the legal standards for the claims pled and allege facts accordingly in drafting any amended complaint.

Appearances are required.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

10:00 AM

CONT... Tram Anh Phan

Chapter 7

Party Information

Debtor(s):

Tram Anh Phan

Represented By
Amid Bahadori

Defendant(s):

Tram A Phan

Represented By
Amid Bahadori

Plaintiff(s):

Garth Murrin

Pro Se

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

11:00 AM

8:18-13145 James L Conkey

Chapter 7

Adv#: 8:18-01212 Saab et al v. Conkey

#11.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt (Complaint filed 12/3/18) Advanced from 11/6/19 - Order Entered 8-15-19)

FR: 2-27-19; 5-1-19; 5-15-19; advanced from 11-6-19

Docket 1

Tentative Ruling:

Tentative for 09/18/19:

This matter is CONTINUED to 12/18/19 at 11:00 a.m. A status report is due 14 days in advance.

Tentative for 5/14/19:

The Court has determined that this matter is appropriate for disposition without a hearing and will not hear oral argument. An order will be issued shortly.

No appearances will be permitted.

Tentative for 5/01/19:

This matter is CONTINUED to 5/15/19 at 10:00 a.m. to coincide with the hearing on the motion to dismiss. A status report is not required for the continued hearing.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

11:00 AM

CONT... James L Conkey

Chapter 7

Appearances are excused.

Tentative for 2/27/19 is to CONTINUE to 5/1/19 at 11:00 a.m. A status report is due 14 days in advance.

Party Information

Debtor(s):

James L Conkey

Represented By
Laleh Ensafi

Defendant(s):

James L Conkey

Pro Se

Plaintiff(s):

Camil Saab

Represented By
Douglas Jaffe

Helou Saab, Inc.

Represented By
Douglas Jaffe

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

11:00 AM

8:18-13145 James L Conkey

Chapter 7

Adv#: 8:18-01212 Saab et al v. Conkey

#12.00

CONT'D Hearing RE: Motion To Dismiss Second Amended Complaint To Determine Dischargeability Of Debt
(Motion filed 4/2/19)
(Advanced from 11/6/19 - Order Entered 8-15-19)

FR: 5-15-19; advanced from 11-6-19

Docket 23

Tentative Ruling:

Tentative for 09/18/19:

As indicated previously in the Court's Order Continuing the Motion to Dismiss [Dk. 33], this Court will not allow the Plaintiff to relitigate matters already determined by a state court. In evaluating a Motion to Dismiss, the Court is not required to accept as true allegations that contradict matters properly subject to judicial notice or allegations contradicting the exhibits attached to the complaint. *Sprewell v. Golden State Warriors*, 266 F.3d 979, 988 (9th Cir. 2001). Having taken judicial notice of the now-final state court judgment referenced in the Second Amended Complaint [filed 3/19/19, Dk. 22], the Court is inclined to GRANT the motion to dismiss Plaintiff's §523(a)(6) claim, §523(a)(2) (A) claim, and §523(a)(4) claim alleged on the basis of fraud.

However, the Court has determined that the Plaintiff's §727(a)(4) claim and §523(a)(4) claim alleged on the basis of defalcation do not fail to state a claim, and, therefore, the Court is inclined to DENY the motion to dismiss as to those claims.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

11:00 AM

CONT... James L Conkey

Chapter 7

Appearances are required.

Party Information

Debtor(s):

James L Conkey

Represented By
Laleh Ensafi

Defendant(s):

James L Conkey

Represented By
Charity J Manee

Plaintiff(s):

Camil Saab

Represented By
Douglas Jaffe

Helou Saab, Inc.

Represented By
Douglas Jaffe

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01064 Marshack v. Castanon et al

#13.00

CONT'D Hearing RE: Motion For Partial Summary Judgment
(Motion filed 5/31/19)

FR: 7-17-19 at 10:00 a.m; 8-14-19.

Docket 56

***** VACATED *** REASON: OFF CALENDAR - CASE REASSIGNED
TO JUDGE THEODOR C. ALBERT PER ORDER ENTERED 8-14-19 -
(DOCKET NO. [89])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Michael Edward Castanon

Represented By
Rhonda Walker

BeachPointe Investments, Inc.

Represented By
Evan C Borges

George Bawuah

Represented By
Evan C Borges

Jerry Bolnick

Represented By
Evan C Borges

Jonathan Blau

Represented By
Evan C Borges

Joseph Bolnick

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Evan C Borges

Maria Castanon

Pro Se

Kenneth Miller

Represented By
Evan C Borges

Peter Van Petten

Represented By
Evan C Borges

Raymond Midley

Represented By
Evan C Borges

Veronica Marfori

Represented By
Evan C Borges

Plaintiff(s):

Richard A. Marshack

Represented By
Sharon Oh-Kubisch

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01064 Marshack v. Castanon et al

#14.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: First Amended Complaint:

1. To Recover Unlawful Dividends;
2. To Avoid And Recover Fraudulent Transfers Under 11 U.S.C. Sections 544(b) And 550 And California Civil Code Section 3439.04(a)(1);
3. To Avoid And Recover Pre-Petition Transfers Under 11 U.S.C. Sections 544(b) And 550 And California Civil Code Section 3439.04(a)(2);
4. To Avoid Pre-Petition Transfers Pursuant To 11 U.S.C. Sections 544(b) And California Civil Code Section 3439.05;
5. To Avoid Pre-Petition Transfers Pursuant To 11 U.S.C. Section 548(a)(1)(B)
6. To Avoid Pre-Petition Transfer Pursuant To 11 U.S.C. Section 549(a)
(First Amended Complaint filed 1/3/19)
(Another Summons issued 2/15/19)
(PTC set at S/C held 5/15/19)
(Another Summons issued 6/26/19)

FR: 4-3-19; 5-15-19; 8-14-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - CASE REASSIGNED
TO JUDGE THEODOR C. ALBERT PER ORDER ENTERED 8-14-19 -
(DOCKET NO. [89])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Michael Edward Castanon

Represented By
Rhonda Walker

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

BeachPointe Investments, Inc.	Pro Se
George Bawuah	Pro Se
Jerry Bolnick	Pro Se
Jonathan Blau	Pro Se
Joseph Bolnick	Pro Se
Maria Castanon	Pro Se
Kenneth Miller	Pro Se
Peter Van Petten	Pro Se
Raymond Midley	Pro Se
Veronica Marfori	Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Sharon Oh-Kubisch

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01048 Marshack v. Queen Funding LLC

#15.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
(2) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
(3) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
(4) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
(5) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
(6) Predatory Lending Pursuant To California Business And Professions Code
Section 17200;
(7) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
(8) Declaratory Relief
(Complaint filed 3/20/19)
(Another Summons issued 6/27/19)

FR: 6/26/19

Docket 1

***** VACATED *** REASON: ADVANCED TO SEPTEMBER 18, 2019 AT
10:00 A.M. PER ANOTHER SUMMONS ISSUED 6-27-19 (DOCKET NO.
[18])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Queen Funding LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Wednesday, September 18, 2019

Hearing Room 5C

11:00 AM

8:19-10093 Hung Nguyen

Chapter 7

Adv#: 8:19-01067 Van der Laan v. Nguyen

#16.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For
Nondischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(2)(A)
(Complaint filed 4/14/19)

FR: 7-3-19

Docket 1

***** VACATED *** REASON: CONTINUED TO OCTOBER 23, 2019 AT
10:00 A.M. PER ANOTHER SUMMONS ISSUED 7-24-19 (DOCKET NO.
[27])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hung Nguyen

Represented By
Alex L Benedict

Defendant(s):

Hung (Johnny) Nguyen

Pro Se

Plaintiff(s):

Jacob Van der Laan

Represented By
Treg A. Julander
John E Lattin

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, September 18, 2019

Hearing Room 5C

11:00 AM

8:18-10205 James Avery Brisco and Linsey Lee Brisco

Chapter 7

#16.10

Hearing RE: Chapter 7 Trustee's Motion For Order: (1) Authorizing Sale Of Property Pursuant To 11 U.S.C. Section 363(b); (2) Approving Overbid Procedures; (3) Approving Buyer As Good-Faith Purchaser Pursuant To 11 U.S.C. Section 363(m); (4) Approving Compromise Of Controversy Pursuant To Federal Rule Of Bankruptcy Procedure 9019; And (5) Approving Employment Of Broker (Yorath Yachts) Pursuant To 11 U.S.C. Sections 327 And 328 And Payment Of Broker's Compensation And Out-Of-Pocket Expenses (Motion filed 8/28/19)

[RE: Bayliner 3055 Ciera]

Docket 45

Tentative Ruling:

Tentative for 09/18/19:

The Court is inclined to GRANT the motion.

Appearances are required.

Party Information

Debtor(s):

James Avery Brisco

Represented By
Marvin Maurice Oliver

Joint Debtor(s):

Linsey Lee Brisco

Represented By
Marvin Maurice Oliver

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 19, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#1.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 11/5/18)

FR: 12-20-18; 1-24-19; 2-7-19; 3-5-19; 3-7-19; 6-13-19

Docket 1

Tentative Ruling:

Tentative for 09/19/19 is to CONTINUE this status conference to January 9, 2020 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 6/13/19 is to set a continued status conference date of September 19, 2019 at 11:00 a.m. with a status report due 14 days in advance.

Appearances are excused. No hearing will occur.

Tentative for 3/07/19 is to set a continued status conference date of June 27, 2019 at 11:00 a.m. with a status report due 14 days in advance.

Appearances required.

Tentative for 2/07/19 is to set a continued status conference on April 18, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Debtor is also instructed to lodge a scheduling order setting forth the dates and deadlines established at the 1/24/19 status conference.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 19, 2019

Hearing Room

5C

11:00 AM

CONT... **Kendall Frozen Fruits, Inc.**

Chapter 11

Tentative for 1/24/19 is to set the following dates/deadlines:

1. Deadline for filing a plan and disclosure statement: March 5, 2019. See Status Report filed 12/6/18 [Dk. 60], pg. 9:15-18. Note: the failure to timely file a plan and disclosure statement may result in the conversion or dismissal of the case.
2. Claims Bar Date: March 29, 2019 with notice to be served by January 28, 2019.
3. Continued status conference: April 18, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Tentative for 12/20/18:

The Court has received and reviewed the status report filed on December 6, 2018 [Dk. 60]. The Status Conference is CONTINUED to January 24, 2019 at 11:00 a.m. Debtor is to submit a supplemental status report, updating the report submitted for the December 20, 2018 status conference, by no later than 14 days in advance of the January 24, 2019 hearing.

Appearances are excused.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 19, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#1.10

Hearing RE: Chapter 7 Trustee's Motion For Order Authorizing Trustee To Enter Into Commercial Lease
(Motion filed 8/29/19)

[RE: 130 Newport Center Drive, Suite Nos. 105 and 110, Newport Beach, CA 92660]

Docket 225

Tentative Ruling:

Tentative for 09/19/19 is to GRANT the motion.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

Trustee(s):

Howard B Grobstein (TR)

Represented By
David Wood
Matthew Grimshaw
Tinho Mang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 19, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 5/18/17) (Amended S/C Order Entered 6-9-17)

FR: 7-13-17; 10-19-17; 1-25-18; 5-31-18; 7-12-18; 9-20-18; 12-20-18; 4-18-19

Docket 1

Tentative Ruling:

Tentative for 09/19/19 is to CONTINUE this status conference to February 6, 2020 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 4/18/19:

The Court has received and reviewed the Eighth Chapter 11 Status Report and Second Post-Confirmation Status Report for LVNV Multi Family, LLC, filed April 4, 2019 [Dk. 844], and, noting that neither the Committee nor any other party has filed its own status report or requested to be heard at the status conference, will CONTINUE this status conference to September 19, 2019, at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 9/20/18 is to set a continued status conference date of December 20, 2018 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Tentative for 12/20/18:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 19, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

The Court has received and reviewed the Seventh Chapter 11 Status Report and First Post-Confirmation Status Report for LVNV Multi Family, LLC, filed on December 6, 2018 [Dk. 726], and, noting that neither the Committee nor any other party has filed its own status report or requested to be heard at the status conference, will CONTINUE this status conference to April 18, 2019, at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 9/20/18 is to set a continued status conference date of December 20, 2018 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Tentative for 7/12/18:

The Court has received and reviewed the status conference reports filed by the Debtors on 6/28/18 [Dk. 524] and Unsecured Creditors' Committee on 7/5/18 [Dk. 527]. The Court would like to hear the Debtors' response to the concerns raised by the Unsecured Creditors' Committee and is inclined to set a continued status conference on November 29, 2018 at 11:00 a.m.

Appearances required.

Tentative for 5/31/18:

The Court has received and reviewed the status report filed by Debtors on 5/17/18 [Dk. 479], the Statement of the Official Committee of Unsecured Creditors filed on 5/17/18 [Dk. 478], and the Statement re: Continued Status Conference filed by Creditors/ Equity Holders Census Asset Management Group and Census Multi Family Fund LVN on 5/16/18 [Dk. 477].

The Court is inclined to set a continued status conference date of 10/4/18 at

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 19, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Tentative for 10/19/17:

Is to set a continued status conference for January 25, 2018 at 11:00 a.m. with a status report due 14 days in advance.

Appearances are excused for the 10/19/17 hearing.

Tentative for 7/13/17:

The Court has received and reviewed the Status Report filed on 6/29/17 [Dk. 112]. The Court is inclined to set a continued status conference on 10/19/17 at 11:00 a.m., with a status report due 14 days in advance. The Parties should be prepared to discuss the setting of Chapter 11 deadlines with the Court.

Appearances required.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 19, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

Adv#: 8:19-01010 Luxury Asset Purchasing International, LLC v. Luxury Asset Lending, LLC

#3.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint:

- (1) To Disallow Proof Of Claim;
 - (2) To Avoid Incurrence Of Debt;
 - (3) For Contractual Indemnity; And
 - (4) Breach Of Contract
- (Complaint filed 1/9/19)
(PTC set at S/C held 4/4/19)

FR: 4-4-19

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 19, 2019
AT 11:00 A.M. PER ORDER APPROVING STIPULATION ENTERED 7-29
-19 - (DOCKET NO. [30])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 19, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Defendant(s):

Jackman Industries, Inc. Pro Se

David Moore Pro Se

Luxury Asset Lending, LLC Pro Se

Plaintiff(s):

Luxury Asset Purchasing
Represented By
Kyra E Andrassy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 19, 2019

Hearing Room 5C

11:00 AM

8:18-14277 Progressive Solutions, Inc.

Chapter 11

#4.00

Hearing RE: Confirmation Of First Amended Chapter 11 Plan Dated July 26, 2019
(Plan filed 5/20/19)
(D.S. filed 5/20/19)
(D.S. approved 7/18/19)
(First Amended Plan filed 7/26/19)

FR: 7-18-19

Docket 76

Tentative Ruling:

Tentative for 09/19/19:

The Court will require live testimony in person from Mr. Glenn Vodhanel, President of Progressive Solutions, Inc., Mr. James Sherman, President of Ecker Capital, LLC, and a PMK from the City of Oakland, California ("City"), regarding the City's proposed Plan/Disclosure Statement and its negotiations with Ecker Capital, LLC.

Appearances required in person.

Party Information

Debtor(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 19, 2019

Hearing Room 5C

11:00 AM

8:18-14277 Progressive Solutions, Inc.

Chapter 11

#5.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 11/21/18)

FR: 1-10-19; 6-13-19; 7-18-19

Docket 1

Tentative Ruling:

Tentative for 09/19/19:

The Court is inclined to set a continued status conference date of December 5, 2019 at 11:00 a.m. with a status report due 14 days in advance.

Appearances required.

Tentative for 7/18/19 is to set a continued status conference date of November 21, 2019 at 11:00 a.m. with a status report due 14 days in advance.

Appearances required.

Tentative for 6/13/19:

The Court has received and reviewed the status report filed on May 30, 2019 [Dk. 49], and will CONTINUE this matter to July 18, 2019, at 11:00 a.m. to coincide with the hearing on the disclosure statement.

Appearances are excused. No hearing will occur.

Tentative for 1/10/19 is to set the following dates/deadlines:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, September 19, 2019

Hearing Room 5C

11:00 AM

CONT... Progressive Solutions, Inc.

Chapter 11

1. May 20, 2019: Last date to file a plan and disclosure statement.
2. March 15, 2019: Last date to file claims ("Claims Bar Date").
3. January 14, 2019: Last date for Debtor to serve notice of the Claims Bar Date.
4. April 15, 2019: Last date to file objections to claim.
5. April 15, 2019: Last date to file avoidance actions.

The Debtor is specifically advised that the failure to timely file a plan or disclosure statement may result dismissal or conversion.

Appearances required.

Party Information

Debtor(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

6:19-13373 Benjamin Armando Mireles

Chapter 7

#1.00

Tiffany & Bosco - movant attorney

Motion for relief stay

AmeriHome Mortgage Company, LLC vs DEBTOR
(Motion filed 9/6/19)

RE: 42437 Via Serrano, Murrieta, California 92562

EH ____

Docket 22

Tentative Ruling:

Tentative for 10/01/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Benjamin Armando Mireles

Pro Se

Trustee(s):

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

CONT... Benjamin Armando Mireles
Karl T Anderson (TR)

Pro Se

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

6:19-15537 Lloyd S Adelhelm and Irene Adelhelm

Chapter 7

#2.00

Tiffany & Bosco - movant attorney

Motion for relief stay

PennyMac Loan Services, LLC vs DEBTORS
(Motion filed 9/5/19)

RE: 29561 Eastbank Dr, Menifee, California 92585

EH ____

Docket 19

***** VACATED *** REASON: Case Dismissed 9/6/19 - yg**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lloyd S Adelhelm Pro Se

Joint Debtor(s):

Irene Adelhelm Pro Se

Trustee(s):

Robert Whitmore (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

6:19-15581 Julian Lamar Stepney and Tamika Elaine Stepney

Chapter 7

#3.00

Sissac Legal Group P.C. - movant attorney

Motion for Relief from Stay

Exeter Finance, LIC vs. DEBTORS
(Motion filed 9/6/19)

Re: 2014 Volkswagen Passat 1.8T SE Sedan 4D

EH_____

Docket 24

Tentative Ruling:

Tentative for 10/01/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Julian Lamar Stepney

Represented By
Nicholas Nicholas Wajda

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

CONT... Julian Lamar Stepney and Tamika Elaine Stepney

Chapter 7

Joint Debtor(s):

Tamika Elaine Stepney

Represented By
Nicholas Nicholas Wajda

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

6:19-16425 Linda Jean Eger

Chapter 7

#4.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA Inc. vs. DEBTOR, Howard B. Grobstein, trustee
(Motion filed 9/4/19)

Re: 2010 CHRYSLER TOWN & COUNTRY VIN 2A4RR5D16AR289030

EH_____

Docket 8

Tentative Ruling:

Tentative for 10/01/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Linda Jean Eger

Represented By
Daniel King

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 303 Calendar**

Tuesday, October 1, 2019

Hearing Room 303

10:00 AM

6:19-16577 Sisi H King

Chapter 7

#5.00

Tiffany & Basco - movant attorney

Motion for Relief from Stay

HomeBridge Financial Services, Inc vs. DEBTOR
(Motion filed 8/259/19)

RE: 3063 Westfield Drive, Riverside, CA 92503

EH ____

Docket 20

Tentative Ruling:

Tentative for 10/01/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Sisi H King

Represented By
Richard J Soule

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

6:19-16584 Larry Anthony Santillo and Mildred May Santillo

Chapter 7

#6.00

Vanlochem & Associates LLP - movant attorney

Motion for Relief from Stay

Alliant Credit Union vs. DEBTORS
(Motion filed 8/30/19)

RE: RE: 2008 Monaco Camelot M-42PDQ

EH ____

Docket 12

Tentative Ruling:

Tentative for 10/01/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Larry Anthony Santillo

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

CONT... Larry Anthony Santillo and Mildred May Santillo

Chapter 7

Joint Debtor(s):

Mildred May Santillo

Represented By
Todd L Turoci

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

6:19-16679 Humberto Sandoval Martinez

Chapter 7

#7.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA Inc vs. DEBTOR, Lynda T. Bui, trustee
(Motion filed 9/6/19)

Re: 2016 JEEP PATRIOT VIN 1C4NJPBA6GD546970

EH_____

Docket 9

Tentative Ruling:

Tentative for 10/01/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver and annulment as requested.

Movant has provided evidence that its action in recovering the vehicle after Debtor's bankruptcy case was filed was taken without knowledge of the automatic stay. Further, Debtor has not provided any evidence that annulment is not warranted. Pursuant to 11 U.S.C. § 362(g), debtor bears the burden of proof on this issue. *See also Souang v. Fularon*, 2011 Bankr. LEXIS 4335 (9th Cir. BAP 2011) ("[T]he debtor bears the ultimate burden of proving that the request for retroactive relief from the stay should be denied.").

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

CONT... Humberto Sandoval Martinez

Chapter 7

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Humberto Sandoval Martinez

Represented By
Norma Duenas

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

6:19-16729 Pedro E Reyes Montano

Chapter 7

#8.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Ford Motor Credit Company LLC vs. DEBTOR, Robert Whitmore, trustee
(Motion filed 9/4/19)

Re: 2016 FORD FLEX VIN 2FMGK5C82GBA16101

EH_____

Docket 9

Tentative Ruling:

Tentative for 10/01/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Pedro E Reyes Montano

Represented By
Christopher Hewitt

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

6:19-17011 Hector Munoz, Jr.

Chapter 7

#9.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

TD Auto Finance LLC vs. DEBTOR, Howard B. Grobstein, trustee
(Motion filed 8/30/19)

Re: 2014 CHEVROLET SONIC VIN 1G1JA6SH9E4168428

EH_____

Docket 8

Tentative Ruling:

Tentative for 10/01/19:

DENY pursuant to 11 U.S.C. § 362(d)(1).

Here, the Movant is adequately protected by a substantial equity cushion of 38.37%. The Ninth Circuit has held that a 20% equity cushion adequately protects a creditor's security interest. *In re Mellor*, 734 F.2d 1396, 1401 (9th Cir. 1984).

Note: If Movant agrees with the above tentative, no appearance by Movant is required.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Hector Munoz Jr.

Represented By
Raymond Perez

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

CONT... Hector Munoz, Jr.

Chapter 7

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

6:19-17161 Steve William Nolan

Chapter 7

#10.00

Pagter and Perry Isaacson - movant attorney

Motion for Relief from Stay

Greg J. Nolan vs. DEBTOR
(Motion filed 9/5/19)

Re: ACTION IN NON-BANKRUPTCY FORUM

EH_____

Docket 8

Tentative Ruling:

Tentative for 10/01/19 is to CONTINUE the Motion to November 19, 2019, at 10:00 a.m.

In his declaration, Movant states he intends to file a nondischargeability proceeding. As of the date of the posting of this tentative, no such action has been filed.

In addition, after review of the Movant's papers, the Court remains unclear whether cause exists to grant such relief in accordance with the *Curtis factors* established in *In re Plumberex Specialty Products, Inc.* 311 B.R. 551 (2004).

Accordingly, the Court is inclined to CONTINUE this matter until November 19, 2019, at 10:00 a.m. after the deadline for objecting to discharge has passed. Further, by no later than November 5, 2019, Movant should provide supplemental briefing to demonstrate that cause exists to grant the requested relief.

Note: If Movant agrees with the above tentative, no appearance by Movant is

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

CONT... Steve William Nolan
required.

Chapter 7

Party Information

Debtor(s):

Steve William Nolan

Represented By
Nathan Fransen

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

6:19-17690 Monica Irene Allain

Chapter 7

#11.00

Law Offices of Vincent V. Frounjian, P.C. - movant attorney

Motion for relief stay

American Honda Finance Corporation vs DEBTOR, Howard B Grobstein,
Trustee
(Motion filed 9/9/19)

RE: 2018 HONDA PILOT, VIN: 5FNY F6H3 4JB0 38210

EH ____

Docket 8

Tentative Ruling:

Tentative for 10/01/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Monica Irene Allain

Represented By
Edgar P Lombera

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

CONT... Monica Irene Allain

Chapter 7

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

6:19-16007 Gail Ann Reynolds

Chapter 7

#11.10

Ghidotti Berger - movant attorney

Motion for Relief from Stay

US Bank National Association as trustee of the Chalet Series IV trust vs.
DEBTOR
(Motion filed 9/6/19)

Re: 9026 Torrance Ave, Hesperia, CA 92344

EH _____

Docket 8

Tentative Ruling:

Tentative for 10/01/19:

GRANT pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver. However, the Court DENIES relief under § 362(d)(4) as the Movant has not submitted facts demonstrating that such relief is warranted and the Court is unable to make the required findings. *In re First Yorkshire Holdings, Inc.*, 470 B.R. 864, 870-71 (B.A.P. 9th Cir. 2012).

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Gail Ann Reynolds

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

10:00 AM

CONT... Gail Ann Reynolds

Chapter 7

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

11:00 AM

6:17-17348 Hilda Cervantes and Jessie Garcia

Chapter 7

#12.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 10/01/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Hilda Cervantes

Represented By

Jennifer Ann Aragon - SUSPENDED -

Joint Debtor(s):

Jessie Garcia

Represented By

Jennifer Ann Aragon - SUSPENDED -

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

11:00 AM

6:18-10230 Teresa Alcala

Chapter 7

#13.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 10/01/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Teresa Alcala

Represented By
Peter Rasla

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 303 Calendar**

Tuesday, October 1, 2019

Hearing Room 303

11:00 AM

6:18-14185 Luis Chavez and Jenny Chavez

Chapter 7

#14.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 37

Tentative Ruling:

Tentative for 10/01/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Luis Chavez

Represented By
Brian J Soo-Hoo

Joint Debtor(s):

Jenny Chavez

Represented By
Brian J Soo-Hoo

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

11:00 AM

6:18-17378 Leonardo Ramos and Maria G Zavala

Chapter 7

#15.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 43

Tentative Ruling:

Tentative for 10/01/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Leonardo Ramos

Represented By
James L Migler

Joint Debtor(s):

Maria G Zavala

Represented By
James L Migler

Trustee(s):

Arturo Cisneros (TR)

Represented By
Karen S. Naylor

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

11:00 AM

6:18-18235 Derek M. Herrera

Chapter 7

#16.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 21

Tentative Ruling:

Tentative for 10/01/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Derek M. Herrera

Represented By
Keith Q Nguyen

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

11:00 AM

6:18-18877 Alex Balastro

Chapter 7

#17.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 34

Tentative Ruling:

Tentative for 10/01/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Alex Balastro

Represented By
Alexander Pham

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

1:30 PM

6:17-19048 Caroline C Mendoza

Chapter 11

#18.00

Final Fee Application for Approval of Fees and Reimbursement of Expenses for Todd L Turoci, Debtor's Attorney, Period: 4/10/2019 to 8/23/2019, Fee: \$12345.00 and Expenses: \$845.12

EH ____

Docket 184

***** VACATED *** REASON: Case Dismissed 9/4/19**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Caroline C Mendoza

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#19.00

Hrg. on Debtor in Possession's Motion filed 9/4/19 For Order Approving First Amendment To Final Order Approving The Debtor To Use Cash Collateral

EH_____

Docket 444

Tentative Ruling:

Tentative for 10/01/19 is to GRANT the motion.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

1:30 PM

6:19-13708 SIF Services, LLC

Chapter 11

#20.00

Keith C. Owens - movant attorney

Motion for Relief from Stay

BPP Shiraz Arch-3 LP vs. DEBTOR
(Motion filed 7/30/19)

Re: 1800 S Archibald Ave, Bldg. 3, Ontario, CA 91761

EH_____

(Cont. from 8/27/19)

Docket 128

Tentative Ruling:

Tentative for 10/01/19:

This matter was continued from 08/27/19 for the purposes of allowing the Chapter 7 Trustee to weigh in on the motion. As of the posting of this tentative, no further pleadings have been filed. The Court would like to hear from the Chapter 7 Trustee on this matter.

Appearances are required, especially by the Chapter 7 Trustee.

Tentative for 8/27/19: The Court requires clarification regarding (1) whether assets of the Debtor's Estate are being stored on the leased property in addition to customer products, and (2) whether removal of customer products will result in additional claims against the Estate.

Appearances are required.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

1:30 PM

CONT... SIF Services, LLC

Chapter 11

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox
W. Sloan Youkstetter
Janis G Abrams
Michael B Lubic

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

1:30 PM

6:19-13708 SIF Services, LLC

Chapter 11

#21.00

Hrg. on BPP Shiraz Arch 3 LP Motion filed 7/30/19 For Allowance and to Compel Payment of Administrative Rent Claim

EH_____

(Cont. from 8/27/19)

Docket 129

Tentative Ruling:

Tentative for 10/01/19:

The Court finds it premature to make a ruling at this time, so this matter will be CONTINUED to December 17, 2019 at 1:30 p.m. to allow the Chapter 7 Trustee to weigh in. Additional pleadings should be submitted 14 days prior to the continued hearing date.

Appearances are excused.

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox
W. Sloan Youkstetter
Janis G Abrams
Michael B Lubic

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 1, 2019

Hearing Room 126

1:30 PM

6:19-17085 O'Linn Security Incorporated

Chapter 11

#22.00

Hrg. on Chapter 11 Status Conference

Docket 0

Tentative Ruling:

Tentative for 10/01/19:

As an initial matter, the Court notes that no Corporate Resolution has been filed as required pursuant to the Court Manual, Section 2.1(e)(1)(E).

The Court is inclined to set the following dates/deadlines provided that Debtor files the Corporate Resolution by 12:00 p.m. on October 1, 2019:

1. December 30, 2019: Last date to file a plan and disclosure statement.
2. December 15, 2019: Last date to file claims ("Claims Bar Date").
3. October 9, 2019: Last date for Debtor to serve notice of the Claims Bar Date.

If Debtor fails to file the Corporate Resolution by the deadline, the Court will be inclined to set an OSC why this case should not be dismissed or converted to chapter 7.

Appearances are required.

Party Information

Debtor(s):

O'Linn Security Incorporated

Represented By
Steven R Fox
W. Sloan Youkstetter

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 2, 2019

Hearing Room 126

10:00 AM

6:19-14575 David Miller and Evonna Miller

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Alaska USA Federal Credit Union, in the amount of \$16,687.93

Re: 2014 Ford Fusion

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Miller

Represented By
Alon Darvish

Joint Debtor(s):

Evonna Miller

Represented By
Alon Darvish

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 2, 2019

Hearing Room 126

10:00 AM

6:19-14814 Victor Blanco Solano and Sandra Blanco

Chapter 7

#2.00

Hrg. on approval of Reaffirmation Agreement filed 9/9/19 Between Debtor and Veros Credit, in the amount of \$17,365.13

Re: 2012 Honda Pilot EX-L Sport Utility 4D

Docket 15

***** VACATED *** REASON: Subsequent filing with attorney signature -
jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Victor Blanco Solano

Represented By
Lissette C Blandino

Joint Debtor(s):

Sandra Blanco

Represented By
Lissette C Blandino

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 2, 2019

Hearing Room 126

10:00 AM

6:19-15075 Sarah Johnson

Chapter 7

#3.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Americredit Financial Services, Inc. Dba GM Financial, in the amount of \$38,655.25

Re: 2018 Chevrolet Camaro

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sarah Johnson

Represented By
Daniel King

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 2, 2019

Hearing Room 126

10:00 AM

6:19-15313 Francisco Laureano-Gonzalez

Chapter 7

#4.00

Hrg. on approval of Reaffirmation Agreement filed 8/21/19 Between Debtor and American Honda Finance Corporation, in the amount of \$16,870.13

Re: 2018 Honda Civic

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Francisco Laureano-Gonzalez

Represented By
Marlin Branstetter

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 2, 2019

Hearing Room 126

10:00 AM

6:19-15436 Christina Munoz Velasco

Chapter 7

#5.00

Hrg. on approval of Reaffirmation Agreement filed 8/29/19 Between Debtor and Altura Credit Union, in the amount of \$10,431.97

Re: 2008 Weekend Warrior

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christina Munoz Velasco

Represented By
Daniel King

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 2, 2019

Hearing Room 126

10:00 AM

6:19-15448 Brandon Burton and Sheryl Anne Burton

Chapter 7

#6.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Alaska USA Federal Credit Union, in the amount of \$15,547.22

Re: 2005 Hummer

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brandon Burton

Represented By
Daniel King

Joint Debtor(s):

Sheryl Anne Burton

Represented By
Daniel King

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 2, 2019

Hearing Room 126

10:00 AM

6:19-15948 Corrina Escajeda

Chapter 7

#7.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and Wells Fargo Auto, in the amount of \$21,736.94

Re: 2016 Ford Mustang

Docket 24

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Corrina Escajeda

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 2, 2019

Hearing Room 126

10:00 AM

6:19-16720 Willene Douglas-Bonafede

Chapter 7

#7.10

Hrg. on approval of Reaffirmation Agreement Between Debtor and Santiago Financial in the amount of \$8,999.15

Re: 1972 Viking 24x60 Mobile Home

Docket 33

***** VACATED *** REASON: Reaffirmation withdrawn on 9/24/19 and re-filed correctly with Attorney Certification on 9/24/19**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Willene Douglas-Bonafede

Represented By
Tina M Chen

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 2, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania

Chapter 7

Adv#: 6:18-01201 Turoci v. Mulvania

#29.00

PRE-TRIAL CONFERENCE Re: Complaint by Todd Turoci against Christopher John Mulvania - §523(a)(2)(A), (B), §727(c),(d),(e)

(Cont. from 7/03/19)

EH_____

Docket 1

***** VACATED *** REASON: Cont. to 1/8/20 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Christopher John Mulvania

Pro Se

Plaintiff(s):

Todd Turoci

Represented By
Todd L Turoci

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 2, 2019

Hearing Room 126

1:30 PM

6:18-16626 Judy Zhuang

Chapter 7

Adv#: 6:18-01217 Liao v. Zhuang

#30.00

PRE-TRIAL CONFERENCE re Complaint to determine non-dischargeability of debt; (1) False Pretenses, False Representations, or Actual Fraud; (2) Willful and Malicious Injury and (3) Non-Dischargeability of Debt

EH ____

(Cont. from 6/26/19)

Docket 1

***** VACATED *** REASON: Cont. to 3/18/20 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Judy Zhuang

Represented By
Todd L Turoci

Defendant(s):

Judy Zhuang

Pro Se

Plaintiff(s):

Chih Ling Liao

Represented By
Sam X J Wu

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 2, 2019

Hearing Room 126

1:30 PM

6:18-19174 Cecil Jerry Edens, Jr

Chapter 7

#31.00

Hrg. on chapter 7 trustee's motion filed 9/27/19 to Amend Sale Order

EH_____

(OST signed 9/30/19)

Docket 80

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cecil Jerry Edens Jr

Represented By
Joseph A West

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:17-12018 WJA Secure Income Fund LLC

Chapter 11

Adv#: 8:19-01092 WJA Secure Income Fund, LLC v. Winget, Spadafora & Schwartzberg, LLP

#8.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Unjust Enrichment **AND** Third-Party Complaint Against William M. Jordan For (1) Breach Of Contract - Third Party Beneficiary, (2) Quantum Meruit, (3) Unjust Enrichment, (4) Implied Indemnity, (5) Equitable Indemnity, (6) Contribution, And (7) Declaratory Relief
(Complaint filed 5/17/19)
(Third-Party Complaint filed 7/17/19)
(Another Summons issued 7/29/19)

Docket 1

Tentative Ruling:

Tentative for 10/02/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: April 1, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: May 13, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: June 25, 2020 @ 11:00am.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Appearances are required.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room

5C

11:00 AM

CONT... WJA Secure Income Fund LLC

Chapter 11

Party Information

Debtor(s):

WJA Secure Income Fund LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello

Defendant(s):

Winget, Spadafora & Schwartzberg,

Pro Se

Arto J. Nuutinen

Pro Se

Plaintiff(s):

WJA Secure Income Fund, LLC

Represented By
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:18-12151 PDB & Main LLC

Chapter 7

#9.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses
(Final Report filed 8/27/19)

**[RE: RICHARD A. MARSHACK - Chapter 7 Trustee]
[Fees: \$1,763.09; Expenses: \$71.22]**

**[RE: HAHN FIFE & COMPANY, LLP - Accountant For Chapter 7 Trustee]
[Fees: \$1,000.00; Expenses: \$0.00]**

Docket 0

Tentative Ruling:

Tentative for 10/02/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

PDB & Main LLC

Represented By
Eliza Ghanooni

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:18-13284 Dennis Paul Meade, Jr. and Marcella De Anda

Chapter 7

#10.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses
(Final Report filed 8/28/19)

**[RE: THOMAS H. CASEY, Chapter 7 Trustee]
[Fees: \$2,285.57; Expenses: \$170.90]**

Docket 0

Tentative Ruling:

Tentative for 10/02/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Dennis Paul Meade Jr.

Represented By
Michael N Nicaastro

Joint Debtor(s):

Marcella De Anda

Represented By
Michael N Nicaastro

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:18-13285 Wiebke Bultmann

Chapter 7

#11.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses
(Final Report filed 8/23/19)

**[RE: THOMAS H. CASEY - Chapter 7 Trustee]
[Fees: \$31,176.67; Expenses: \$954.62]**

**[RE: RINGSTAD & SANDERS - Attorneys For Chapter 7 Trustee]
[Fees: \$25,290.00; Expenses: \$372.91]**

**[RE: HAHN FIFE & COMPANY - Accountant For Chapter 7 Trustee]
[Fees: \$1,848.00; Expenses: \$262.60]**

Docket 99

Tentative Ruling:

Tentative for 10/02/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Wiebke Bultmann

Represented By
Michael N Nicaastro

Trustee(s):

Thomas H Casey (TR)

Represented By
Karen S. Naylor

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

CONT... Wiebke Bultmann

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10153 Thomas Joseph Lynch, JR

Chapter 7

Adv#: 8:19-01074 NuVision Federal Credit Union v. Lynch

#12.00

Hearing RE: Defendant's Motion To Dismiss First Amended Complaint Pursuant To Federal Rules Of Civil Procedure, Rule 12(b) (1-2, 4-5)
(Motion filed 8/28/19)

Docket 19

Tentative Ruling:

Tentative for 10/02/19:

While the Court agrees that the Plaintiff should have complied with FRCP in the filing of its FAC, the Court recognizes that leave to amend should be freely granted. FRCP §15(a)(2). Therefore, the Court is inclined to *sua sponte* GRANT the Plaintiff leave to amend their complaint, on a nunc pro tunc basis.

It is well-established in the 9th Circuit that an "amended complaint supersedes the original, the latter being treated thereafter as non-existent." *Ramirez v. San Bernardino* 806 F.3d 1002, 1007 (9th Circ. 2015). It follows that the Court will DENY the MTD #1 on the grounds that it is moot.

Further, the Court will DENY the MTD #2 without prejudice, as the motion did not raise any substantive arguments for dismissal, relying on the MTD #1 which has been denied, and the sole procedural issue raised in the MTD #2 has been addressed entirely by the Court.

A new Motion to Dismiss must be filed by November 6, 2019. If filed, a hearing on that motion will be held on December 4, 2019 at 11:00 a.m. Opposition will be due 14 days in advance of the hearing. A Reply will be due 7 days in advance of the hearing.

Appearances are required.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

CONT... Thomas Joseph Lynch, JR

Chapter 7

Debtor(s):

Thomas Joseph Lynch JR Pro Se

Defendant(s):

Thomas Joseph Lynch Jr. Represented By
Patrick OKennedy

Plaintiff(s):

NuVision Federal Credit Union Represented By
Alana B Anaya

Trustee(s):

Karen S Naylor (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10153 Thomas Joseph Lynch, JR

Chapter 7

Adv#: 8:19-01074 NuVision Federal Credit Union v. Lynch

#13.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint To Determine The Dischargeability Of Debts Pursuant To 11 U.S.C. Section 523(a)(2)(A)
(Complaint filed 4/23/19)
(First Amended Complaint filed 7/3/19)

FR: 7-17-19

Docket 1

Tentative Ruling:

Tentative for 10/02/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: February 6, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: March 19, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: April 29, 2020 at 10:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Appearances are required.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room

5C

11:00 AM

CONT... Thomas Joseph Lynch, JR

Chapter 7

Tentative for 7/17/19:

This matter is CONTINUED to October 2, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Thomas Joseph Lynch JR

Represented By
Patrick OKennedy

Defendant(s):

Thomas Joseph Lynch Jr.

Pro Se

Plaintiff(s):

NuVision Federal Credit Union

Represented By
Alana B Anaya

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10153 Thomas Joseph Lynch, JR

Chapter 7

Adv#: 8:19-01074 NuVision Federal Credit Union v. Lynch

#14.00

CONT'D Hearing RE: Motion To Dismiss Complaint Pursuant To 11 USC Section 523(a)(A) And Other Grounds For Failure To State A Claim (Motion filed 5/23/19) (Notice Of Hearing filed 5/24/19)

FR: 7-17-19

Docket 5

Tentative Ruling:

Tentative for 10/02/19:

While the Court agrees that the Plaintiff should have complied with FRCP in the filing of its FAC, the Court recognizes that leave to amend should be freely granted. FRCP §15(a)(2). Therefore, the Court is inclined to *sua sponte* GRANT the Plaintiff leave to amend their complaint, on a nunc pro tunc basis.

It is well-established in the 9th Circuit that an "amended complaint supersedes the original, the latter being treated thereafter as non-existent." *Ramirez v. San Bernardino* 806 F.3d 1002, 1007 (9th Circ. 2015). It follows that the Court will DENY the MTD #1 on the grounds that it is moot.

Further, the Court will DENY the MTD #2 without prejudice, as the motion did not raise any substantive arguments for dismissal, relying on the MTD #1 which has been denied, and the sole procedural issue raised in the MTD #2 has been addressed entirely by the Court.

A new Motion to Dismiss must be filed by November 6, 2019. If filed, a hearing on that motion will be held on December 4, 2019 at 11:00 a.m. Opposition will be due 14 days in advance of the hearing. A Reply will be due 7 days in advance of the hearing.

Appearances are required.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

CONT... Thomas Joseph Lynch, JR

Chapter 7

Party Information

Debtor(s):

Thomas Joseph Lynch JR

Represented By
Patrick OKennedy

Defendant(s):

Thomas Joseph Lynch Jr.

Represented By
Patrick OKennedy

Plaintiff(s):

NuVision Federal Credit Union

Represented By
Alana B Anaya

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10153 Thomas Joseph Lynch, JR

Chapter 7

Adv#: 8:19-01069 OC West, LLC et al v. Lynch

#15.00

CONT'D STATUS CONFERENCE RE: First Amended Complaint For:

1. Nondischargeability Of Debt Pursuant To 11 U.S.C. Sections 523(a)(2)(A), 523(a)(2)(B), 523(a)(4) and 523(a)(6);
2. Denial Of Discharge Pursuant To: 11 U.S.C. Sections 727(a)(2)(A), 727(a)(2)(B), 727(a)(3), 727(a)(4)(A), 727(a)(4)(D), 727(a)(5), and 727(a)(12)(B); And
3. Unfair, Unlawful And Fraudulent Business Practice California Business And Professional Code Section 17200 et seq.
(Complaint filed 4/17/19)
(First Amended Complaint filed 8/13/19)

FR: 7-3-19; 7-17-19

Docket 1

Tentative Ruling:

Tentative for 10/02/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: March 6, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: April 24, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: June 10, 2020.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

CONT... Thomas Joseph Lynch, JR

Chapter 7

Appearances are required.

Tentative for 7/3/19:

This matter is CONTINUED to July 17, 2019 at 10:00 a.m. to coincide with the hearing on the motion to dismiss. A status report is not required for this continued status conference.

Appearances are excused.

Party Information

Debtor(s):

Thomas Joseph Lynch JR

Represented By
Patrick OKennedy

Defendant(s):

Thomas Joseph Lynch

Pro Se

Plaintiff(s):

OC West, LLC

Represented By
Baruch C Cohen

Liberty Financial USA, LCC

Represented By
Baruch C Cohen

Liberty Debt Solution, LLC

Represented By
Baruch C Cohen

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10153 Thomas Joseph Lynch, JR

Chapter 7

Adv#: 8:19-01069 OC West, LLC et al v. Lynch

#15.10

Hearing RE: Defendant Thomas Joseph Lynch's Motion To Dismiss First Amended Complaint Pursuant To Federal Rules Of Civil Procedure, Rule 12(b)(6)
(Motion filed 9/17/19)

Docket 33

Tentative Ruling:

Tentative for 10/02/19 is to DENY the Motion to Dismiss with respect to the 5th, 8th, 10th, 11th, and 12th causes of action.

To survive a motion to dismiss, a Complaint must allege "enough facts to state a claim to relief that is plausible on its face." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). In deciding whether the Plaintiff has stated a claim upon which relief can be granted, the Court must draw all reasonable inferences in favor of the nonmoving party. *Cholla Ready Mix, Inc. v. Civish*, 382 F.3d 969, 973 (9th Cir. 2004) (citing *Karam v. City of Burbank*, 352 F.3d 1188, 1192 (9th Cir. 2003)).

Debtor has failed to meet its burden to prove that the facts alleged in the Plaintiff's complaint are implausible or lack particularity, or, in the alternative, that the Plaintiff has not provided enough fact to allow the Debtor to reasonably prepare a response.

The Court notes that the 1st, 2nd, 3rd, 4th, 6th, 7th, and 9th causes of action were previously DENIED at the July 17, 2019 hearing on the first Motion to Dismiss. Therefore, the Court will not readdress these causes of action with respect to the second Motion to Dismiss.

Appearances are required.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

CONT... Thomas Joseph Lynch, JR

Chapter 7

Debtor(s):

Thomas Joseph Lynch JR Pro Se

Defendant(s):

Thomas Joseph Lynch Pro Se

Plaintiff(s):

OC West, LLC Pro Se

Liberty Financial USA, LCC Pro Se

Liberty Debt Solution, LLC Pro Se

Trustee(s):

Karen S Naylor (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

#16.00

Hearing RE: Motion For Order Extending The Deadline To Object To The Debtor's Discharge Pursuant To 11 U.S.C. Sections 523 And 727 And Federal Rule Of Bankruptcy Procedure 4004
(Motion filed 8/12/19)
(Set per Order Entered 9/4/19)

Docket 30

Tentative Ruling:

The Court's tentative for 10/02/19 is to DENY the Motion to extend the discharge deadline, as the Movant did not show adequate cause.

Appearances are required.

Party Information

Debtor(s):

Hassan Abbas Kassir

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

Adv#: 8:19-01080 Marshack v. Kassir

#17.00

CONT'D Hearing RE: Motion To Dismiss Complaint To Deny Debtor's Discharge Per 11 U.S.C. Section 727 For Failure To State A Claim, Or In The Alternative For A More Definite Statement
(Motion filed 7/17/19)

FR: 9-4-19

Docket 6

***** VACATED *** REASON: CONTINUED TO NOVEMBER 20, 2019
AT 11:00 A.M. PER ORDER ON EX PARTE APPLICATION TO
CONTINUE HEARINGS ENTERED 9-11-19 - (DOCKET NO. [20])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hassan Abbas Kassir

Pro Se

Defendant(s):

Hassan Abbas Kassir

Pro Se

Plaintiff(s):

Richard A Marshack

Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

Adv#: 8:19-01080 Marshack v. Kassir

#18.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Deny Debtor's
Discharge Per 11 U.S.C. Section 727
(Complaint filed 5/6/19)
(Another summons issued 6/17/19)

FR: 8-7-19; 9-4-19

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 20, 2019
AT 11:00 A.M. PER ORDER ON EX PARTE APPLICATION TO
CONTINUE HEARINGS ENTERED 9-11-19 - (DOCKET NO. [20])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hassan Abbas Kassir	Pro Se
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Defendant(s):

Hassan Abbas Kassir	Pro Se
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Plaintiff(s):

Richard A Marshack	Represented By Donald W Sieveke
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Trustee(s):

Richard A Marshack (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

Adv#: 8:19-01080 Marshack v. Kassir

#19.00

Hearing RE: Motion To Compel Trustee To Recover Debtor's Estate, Payoff All Creditors, And Investigate Creditor Hassan Essayli's Proof Of Disputed Claims (Motion filed 8/16/19)

Docket 10

***** VACATED *** REASON: CONTINUED TO NOVEMBER 20, 2019
AT 11:00 A.M. PER ORDER ON EX PARTE APPLICATION TO
CONTINUE HEARINGS ENTERED 9-11-19 - (DOCKET NO. [20])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hassan Abbas Kassir

Pro Se

Defendant(s):

Hassan Abbas Kassir

Pro Se

Plaintiff(s):

Richard A Marshack

Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01130 Marshack v. Kassir et al

#20.00

CONT'D Hearing RE: Motion To Dismiss Complaint To Avoid Fraudulent Transfers For Failure To State A Claim, Or In The Alternative For A More Definite Statement
(Motion filed 8/12/19)

FR: 9-18-19

Docket 10

***** VACATED *** REASON: CONTINUED TO NOVEMBER 20, 2019
AT 11:00 A.M. PER ORDER ON EX PARTE APPLICATION TO
CONTINUE HEARINGS ENTERED 9-11-19 - (DOCKET NO. [21])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sukeinah Hassan Kassir Pro Se

Defendant(s):

Mohammad Mahdi Kassir Pro Se

Mohammad Abbas Kassir Pro Se

Ali Al-Hadi Kassir Pro Se

Sukeinah Kassir Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

CONT... Sukeinah Hassan Kassir

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01130 Marshack v. Kassir et al

#21.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Avoid Fraudulent Transfers
(Complaint filed 7/2/19)

FR: 9-18-19

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 20, 2019
AT 11:00 A.M. PER ORDER ON EX PARTE APPLICATION TO
CONTINUE HEARINGS ENTERED 9-11-19 - (DOCKET NO. [21])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sukeinah Hassan Kassir Pro Se

Defendant(s):

Mohammad Mahdi Kassir Pro Se

Mohammad Abbas Kassir Pro Se

Ali Al-Hadi Kassir Pro Se

Sukeinah Kassir Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01081 Marshack v. Kassir

#22.00

Hearing RE: Motion To Compel Trustee To Investigate Creditor Hassan Essayli's Proof Of Disputed Debt Claims
(Motion filed 8/29/19)

Docket 12

***** VACATED *** REASON: CONTINUED TO NOVEMBER 20, 2019
AT 11:00 A.M. PER ORDER ON EX PARTE APPLICATION TO
CONTINUE HEARINGS ENTERED 9-11-19- (DOCKET NO. [20])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sukeinah Hassan Kassir	Pro Se
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Defendant(s):

Sukeinah Hassan Kassir	Pro Se
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Plaintiff(s):

Richard A Marshack	Represented By Donald W Sieveke
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Trustee(s):

Richard A Marshack (TR)	Represented By Donald W Sieveke
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

#23.00

Hearing RE: Motion For Order Extending The Deadline To Object To The Debtor's Discharge Pursuant To 11 U.S.C. Sections 523 And 727 And Federal Rule Of Bankruptcy Procedure 4004
(Motion filed 8/12/19)
(Set per Order Entered 9/4/19)

Docket 30

Tentative Ruling:

The Court's tentative for 10/02/19 is to DENY the Motion to extend the discharge deadline, as the Movant did not show adequate cause.

Appearances are required.

Party Information

Debtor(s):

Sukeinah Hassan Kassir

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01081 Marshack v. Kassir

#24.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Deny Debtor's Discharge Per 11 U.S.C. Section 727
(Complaint filed 5/6/19)
(Another summons issued 6/17/19)

FR: 8-7-19; 9-4-19

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 20, 2019
AT 11:00 A.M. PER ORDER ON EX PARTE APPLICATION TO
CONTINUE HEARINGS ENTERED 9-11-19- (DOCKET NO. [20])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sukeinah Hassan Kassir Pro Se

Defendant(s):

Sukeinah Hassan Kassir Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01130 Marshack v. Kassir et al

#25.00

CONT'D Hearing RE: Motion To Dismiss Complaint To Deny Debtor's Discharge Per 11 U.S.C. Section 727 For Failure To State A Claim, Or In The Alternative For A More Definite Statement
(Motion filed 7/17/19)

FR: 9-4-19

Docket 6

***** VACATED *** REASON: OFF CALENDAR - PER ORDER
DENYING MOTION TO DISMISS AS MOOT ENTERED 9-20-19 -
(DOCKET NO. [25])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sukeinah Hassan Kassir Pro Se

Defendant(s):

Mohammad Mahdi Kassir Pro Se

Mohammad Abbas Kassir Pro Se

Ali Al-Hadi Kassir Pro Se

Sukeinah Kassir Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

CONT... Sukeinah Hassan Kassir

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01081 Marshack v. Kassir

#26.00

Hearing RE: First Amendment Motion To Dismiss Complaint To Deny Debtor's Discharge Per 11 U.S.C. Section 727 For Failure To State A Claim, Or In The Alternative For A More Definite Statement
(Motion filed 7/17/19)
(First Amendment Motion filed 8/16/19)

Docket 8

***** VACATED *** REASON: CONTINUED TO NOVEMBER 20, 2019
AT 11:00 A.M. PER ORDER ON EX PARTE APPLICATION TO
CONTINUE HEARINGS ENTERED 9-11-19- (DOCKET NO. [20])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sukeinah Hassan Kassir Pro Se

Defendant(s):

Sukeinah Hassan Kassir Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#27.00

CONT'D Hearing RE: Motion For Dismissal, Or In The Alternative, Conversion
To Chapter 7
(Motion filed 5/31/19)

FR: 6-27-19; 8-8-19; 9-4-19

Docket 46

***** VACATED *** REASON: CONTINUED TO NOVEMBER 7, 2019 AT
11:00 A.M. PER ORDER GRANTING CONTINUANCE ENTERED 9-16-
19 - (DOCKET NO. [88])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 2, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#28.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management
Conference And (2) Requiring Status Report
(Petition filed 4/15/19)

FR: 6/13/19; 6-27-19; 8-8-19; 9-4-19

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 7, 2019 AT
11:00 A.M. PER ORDER GRANTING CONTINUANCE ENTERED 9-16-19
- (DOCKET NO. [88])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

10:00 AM

8:18-13068 Javanshir Khazali

Chapter 7

#1.00

Motion for relief from stay [Personal Property]

Santander Consumer USA Inc. dba Chrysler Capital As Servicer For CCAP Auto Lease Ltd. vs. DEBTOR
(Motion filed 9/13/19)

[RE: 2017 Alfa Romeo Giulia - VIN No.: ZARFAECN5H7557104]

Docket 69

Tentative Ruling:

Tentative for 10/10/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Javanshir Khazali

Represented By
Richard G Heston

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

10:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

#3.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Hassan Essayli vs. DEBTOR
(Motion filed 9/5/19)

**[RE: Case Name: Essayli v. Kassir, et al.]
[Docket Number: 30-2019-09044149-CU-BT-CJC]
[Pending In: Orange County Superior Court]**

Docket 41

Tentative Ruling:

Tentative for 10/10/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver and annulment as requested.

With respect to the Debtor's request for injunctive relief, no injunction may be issued without an adversary proceeding.

The Court notes that the on October 4, 2019, Debtor filed an ex parte application to continue this hearing. However, that application is denied for lack of good cause shown and the hearing scheduled on October 10, 2019 will proceed as scheduled.

Appearances are required.

Party Information

Debtor(s):

Hassan Abbas Kassir

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

10:00 AM

CONT...

Hassan Abbas Kassir

Donald W Sieveke

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

10:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

#4.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Hassan Essayli vs. DEBTOR
(Motion filed 9/17/19)

**[RE: Case Name: Essayli v. Kassir et al.]
[Case Number: 30-2016-00889773-CU-OR-CJC]
[Pending In: Orange County Superior Court]**

Docket 44

Tentative Ruling:

Tentative for 10/10/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver and annulment as requested.

With respect to the Debtor's request for injunctive relief, no injunction may be issued without an adversary proceeding.

The Court notes that the on October 4, 2019, Debtor filed an ex parte application to continue this hearing. However, that application is denied for lack of good cause shown and the hearing scheduled on October 10, 2019 will proceed as scheduled.

Appearances are required.

Party Information

Debtor(s):

Hassan Abbas Kassir

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

10:00 AM

CONT...

Hassan Abbas Kassir

Donald W Sieveke

Chapter 7

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Thursday, October 10, 2019

Hearing Room 5C

10:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

#5.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Hassan Essayli vs. DEBTOR
(Motion filed 9/3/19)

[RE: Case Name: Essayli v. Kassir, et al.]
[Docket Number: 30-2019-09044149-CU-BT-CJC]
[Pending In: Orange County Superior Court]

Docket 35

*** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF MOTION FILED 9-18-19 - (DOCKET NO. [46])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hassan Abbas Kassir

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

10:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

#6.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Hassan Essayli vs. DEBTOR
(Motion filed 9/17/19)

**[RE: Case Name: Essayli v. Kassir et al.]
[Case Number: 30-2016-00889773-CU-OR-CJC]
[Pending In: Orange County Superior Court]**

Docket 41

Tentative Ruling:

Tentative for 10/10/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver and annulment as requested.

The Court notes that the on October 4, 2019, Debtor filed an ex parte application to continue this hearing. However, that application is denied for lack of good cause shown and the hearing scheduled on October 10, 2019 will proceed as scheduled.

Appearances are required.

Party Information

Debtor(s):

Sukeinah Hassan Kassir

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

10:00 AM

8:19-13175 Jose Armando Guerrero Canela

Chapter 7

#7.00

Motion for relief from stay [Personal Property]

MAS Financial Services vs. DEBTOR
(Motion filed 9/18/19)

[RE: 2007 Acura MDX - VIN No.: 2HNYD28357H542616]

Docket 8

Tentative Ruling:

Tentative for 10/10/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jose Armando Guerrero Canela

Represented By
Andrew S Cho

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison

Chapter 11

Adv#: 8:19-01076 Harrison et al v. Capital One Bank (USA), National Association

#8.00

Hearing RE: Motion For Default Judgment Against Capital One Bank (USA),
National Association
(Motion filed 8/26/19)

Docket 24

Tentative Ruling:

Tentative for 10/10/19:

To avoid unintended consequences, the Court will CONTINUE this matter until *Harrison et al v. PM Factors, Inc.*, Case No. 8:19-ap-01077, is decided on the merits.

The Continued Status Conference regarding this matter currently set for October 24, 2019 will be CONTINUED until March 19, 2020 at 11:00 a.m. Plaintiff is required to file a status report 14 days in advance of the hearing, whether unilateral or joint.

Appearances are excused.

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Capital One Bank (USA), National

Pro Se

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison

Chapter 11

Sara Tidd

Plaintiff(s):

Charles Flowers Harrison

Represented By
Michael Jones

Martha Isabel Montoya

Represented By
Michael Jones

Axis CP I, LLC

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:17-11743 Cecilio Romero Murrietta and Irma Bonilla Murrietta

Chapter 11

#9.00

Hearing RE: Motion To Extend Time To File Plan And Disclosure Statement
(Motion filed 8/23/19)

Docket 245

Tentative Ruling:

Tentative for 10/10/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Cecilio Romero Murrietta

Represented By
Andrew S Bisom

Joint Debtor(s):

Irma Bonilla Murrietta

Represented By
Andrew S Bisom

Trustee(s):

David M Goodrich (TR)

Represented By
Jeffrey I Golden
Beth Gaschen
Ryan W Beall

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#10.00

Hearing RE: Sixth And Final Application For Allowance And Payment of Fees And Reimbursement Of Expenses For The Period April 7, 2019 Through July 22, 2019

[FOR: CA Real Estate Opportunity Fund II, LLC - ONLY]

(Application filed 9/5/19)

[RE: SMILEY WANG-EKVALL, LLP - Attorneys For Debtors-In-Possession]

[Fees: \$7,211.00; Expenses: \$2.95]

Docket 995

Tentative Ruling:

Tentative for 10/10/19 is to APPROVE.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#11.00

Hearing RE: Sixth And Final Application For Allowance And Payment of Fees
For The Period June 7, 2017 Through July 22, 2019

[FOR: CA Real Estate Opportunity Fund II, LLC - ONLY]

(Application filed 9/6/19)

[MENCHACA & COMPANY, LLP - Accountants For Debtors and Debtors-In-Possession]

[Fees: \$22,057.41; Expenses: \$0.00]

Docket 998

Tentative Ruling:

Tentative for 10/10/19 is to APPROVE.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#12.00

Hearing RE: Sixth And Final Application For Allowance And Payment of Fees And Reimbursement Of Expenses For The Period April 7, 2019 Through July 8, 2019

[FOR: PMB Managed Fund, LLC and Alabama Housing Fund, LLC - ONLY]
(Application filed 8/20/19)

[RE: SMILEY WANG-EKVALL, LLP - Attorneys For Debtors-In-Possession]
[Fees: \$16,760.50; Expenses: \$1,762.97]

Docket 982

Tentative Ruling:

Tentative for 10/10/19 is to APPROVE.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Sefflin
Steven T Gubner
Corey R Weber

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#13.00

Hearing RE: Sixth And Final Application For Order Seeking Allowance And Payment of Fees On A Final Basis And Reimbursement Of Expenses For The Period April 11, 2019 Through July 8, 2019

[FOR: PMB Managed Fund, LLC and Alabama Housing Fund, LLC - ONLY]
(Application filed 8/23/19)

[RE: MENCHACA & COMPANY, LLP - Accountant for Debtors and Debtors-In-Possession]

[Fees: \$2,904.00; Expenses: \$0.00]

Docket 987

Tentative Ruling:

Tentative for 10/10/19 is to APPROVE.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Sefflin
Steven T Gubner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

CONT...

WJA Asset Management LLC

Chapter 11

Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#14.00

Hearing RE: Sixth And Final Application For Allowance And Payment of Fees And Reimbursement Of Expenses For The Period May 18, 2017 Through July 8, 2019

[FOR: PMB Managed Fund, LLC - ONLY]

(Application filed 8/23/19)

[RE: RUTAN & TUCKER - Special Counsel For Debtors and Debtors-In-Possession]

[Fees: \$3,762.00; Expenses: \$13.60]

Docket 985

Tentative Ruling:

Tentative for 10/10/19 is to APPROVE.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:17-12753 David Vincent Ross and Cheri LeAnn Ross

Chapter 11

#15.00

Hearing RE: Final Application For Allowance Of Professional Fees And Costs For The Period From July 11, 2017 Through August 23, 2018 (Application filed 9/7/19)

**[RE: M. JONES & ASSOCIATES - Attorneys For Debtor]
[Fees: \$56,335.00; Expenses: \$3,773.27]**

Docket 227

Tentative Ruling:

Tentative for 10/10/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Applicant will be so notified.

Applicant to lodge an order within seven (7) days.

Party Information

Debtor(s):

David Vincent Ross

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Cheri LeAnn Ross

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:18-12720 Tina Hong-Ngoc Trinh

Chapter 11

#16.00

Hearing RE: Final Application For Allowance Of Professional Fees And Costs For The Period From July 23, 2018 Through August 8, 2019 (Application filed 9/8/19)

**[RE: M. JONES & ASSOCIATES - Attorneys For Debtor]
[Fees: \$5,880.00; Expenses: \$2,139.00]**

Docket 84

Tentative Ruling:

Tentative for 10/10/19:

The Court is uncertain that there are enough funds remaining in the estate to pay the requested amounts of the application.

Appearances are required.

Party Information

Debtor(s):

Tina Hong-Ngoc Trinh

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#17.00

Hearing RE: Application For Payment Of Final Fees And/Or Expenses For The Period From November 5, 2018 Through March 12, 2019
(Application filed 8/19/19)

**[RE: HOLTHOUSE CARLIN & VAN TRIGT, LLP - Accountants For Debtor]
[Fees: \$69,295.00; Expenses: \$12.25]**

Docket 221

Tentative Ruling:

Tentative for 10/10/19 is to APPROVE as requested and modified by the stipulation between Chapter 11 Trustee and Applicant, filed on 09/30/19 [Dk. 249].

Note: This matter appears to be uncontested. Accordingly, no court appearance is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Applicant will be so notified.

Applicant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

Trustee(s):

Howard B Grobstein (TR)

Represented By
David Wood
Matthew Grimshaw
Tinho Mang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#18.00

Hearing RE: First Interim Fee Application For Compensation And Reimbursement Of Expenses For The Periods From November 19, 2018 Through And Including February 14, 2019; February 15, 2019 Through And Including August 21, 2019
(Application filed 9/13/2019)

[RE: SULMEYERKUPETZ, A Professional Corporation - Attorneys For Debtor]

[Fees: \$157,314.00; Expenses: \$5,065.20]

Docket 229

Tentative Ruling:

Tentative for 10/10/10 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Applicant will be so notified.

Applicant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

Trustee(s):

Howard B Grobstein (TR)

Represented By
David Wood
Matthew Grimshaw
Tinho Mang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

CONT... Kendall Frozen Fruits, Inc.

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#19.00

Hearing RE: First Interim Application For Compensation And Reimbursement Of Expenses For The Period From February 14, 2019 Through And Including September 10, 2019
(Application filed 9/16/19)

**[RE: GROBSTEIN TEEPLE, LLP - Accountants For Chapter 11 Trustee]
[Fees: \$106,002.00; Expenses: \$344.09]**

Docket 232

Tentative Ruling:

Tentative for 10/10/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Applicant will be so notified.

Applicant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

Trustee(s):

Howard B Grobstein (TR)

Represented By
David Wood
Matthew Grimshaw
Tinho Mang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#20.00

Hearing RE: First Interim Fee Application For Compensation And Reimbursement Of Expenses For The Period From November 5, 2018 Through And Including February 13, 2019; And February 14, 2019 Through And Including August 31, 2019
(Application filed 9/17/19)

**[RE: CHANNEL MARKETING RESOURCES - Attorneys For Debtor]
[Fees: \$144,650.00; Expenses: \$0.00]**

Docket 233

Tentative Ruling:

Tentative for 10/10/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Applicant will be so notified.

Applicant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

Trustee(s):

Howard B Grobstein (TR)

Represented By
David Wood
Matthew Grimshaw
Tinho Mang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#21.00

Hearing RE: First Interim Application For Allowance Of Fees And Reimbursement Of Costs For The Period From February 8, 2019 Through And Including August 31, 2019
(Application filed 9/19/19)

**[RE: MARSHACK HAYS LLP - Attorneys For Chapter 11 Trustee]
[Fees: \$146,163.50; Expenses: \$3,349.37]**

Docket 234

Tentative Ruling:

Tentative for 10/10/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Applicant will be so notified.

Applicant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

Trustee(s):

Howard B Grobstein (TR)

Represented By
David Wood
Matthew Grimshaw
Tinho Mang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:18-14052 Kendall Frozen Fruits, Inc.

Chapter 11

#21.10

Hearing RE: Creditor Agroindustrial Valle Frio S.A.'s Request For Order Requiring Payment Of Administrative Claim In Connection With Professionals' Interim Fee Applications
(Motion filed 9/24/19)

[Fee: \$75,000.00]

Docket 245

Tentative Ruling:

Tentative for 10/10/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Appearances excused.

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By
Steven Werth
David S Kupetz

Trustee(s):

Howard B Grobstein (TR)

Represented By
David Wood
Matthew Grimshaw
Tinho Mang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:18-14425 Wallace Raymond Steffen, Jr

Chapter 11

#22.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 12/4/18) (Case Converted on 3/14/19)

FR: 5-2-19; 8-15-19

Docket 1

Tentative Ruling:

Tentative for 10/10/19:

In light of the Court's tentative to convert this case to a Chapter 7, this matter will no longer remain on calendar.

Tentative for 8/15/19:

The status conference is continued to October 10, 2019 at 11:00 a.m. to coincide with the hearing on the OSC re: conversion or dismissal. The Court notes that no status report for the August 15, 2019 status conference was filed as of the posting of this tentative, which the Court will consider in connection with the OSC.

Appearances are excused.

Tentative for 5/02/19 is to set the following dates/deadlines:

1. Deadline for filing a plan and disclosure statement: May 30, 2019.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room

5C

11:00 AM

CONT...

Wallace Raymond Steffen, Jr

Chapter 11

Note: the failure to timely file a plan and disclosure statement may result in the conversion or dismissal of the case.

2. Deadline for filing Objections to Claim: July 15, 2019
3. Continued status conference: August 15, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Party Information

Debtor(s):

Wallace Raymond Steffen Jr

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

8:18-14425 Wallace Raymond Steffen, Jr

Chapter 11

#23.00

Hearing RE: Order Directing Debtor To Appear And Show Cause Why This Chapter 11 Case Should Not Be Converted To Chapter 7 Or Dismissed (Set per Order Entered 7-25-19)

Docket 0

Tentative Ruling:

Tentative for 10/10/2019:

On July 25, 2019, the Court set an OSC re: conversion or dismissal of this Chapter 11 case on the basis that, given the totality of the circumstances, the Chapter 11 case would not be economically sound and that conversion to Chapter 7 would be prudent, justified, and in the best interest of the creditors and the Debtor. The Court, with the Office of the U.S. Trustee present, further ordered that any response to the OSC should be filed by not later than September 26, 2019. No responses were filed by that designated time.

The Court has further examined the totality of the case, including the creditor body, the income and expenses set out in the initial chapter 7 filing, upon which the US Trustee recommended conversion of this case to one under Chapter 11 in the first place. The Court has further carefully examined the duly filed Monthly Operating Reports of this Chapter 11 Debtor and finds just cause to convert this case to one under Chapter 7.

Within this determination is an in-depth analysis by the Court of the Debtor's past (the last six Chapter 11 Monthly Operating Reports) and projected forward-looking income and expenses (utilizing the last six Chapter 11 Monthly Operating Reports). The Court finds that the actual income and expenses are more accurate and meaningful than the initial disclosures in Official Form 122A-2.

The Court also observes that during the Chapter 11 case, a claims bar date

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 10, 2019

Hearing Room 5C

11:00 AM

CONT... Wallace Raymond Steffen, Jr

Chapter 11

of June 15, 2019 was established, and unsecured claims were filed in the total amount of \$478,704.00, of which \$464,000.00 belongs to one insider/sister of the Debtor, arising from a claim that is currently being litigated as to non-dischargeability.

Pursuant to the Court's review of the totality of the circumstances, the Court finds that no abuse of Chapter 7 (as to Section 707(b)(1)) is present in this case by this Debtor to prohibit conversion, notwithstanding the disclosures previously set out in the Debtor's initial petition Official Form 122(A-2).

To keep this Debtor in Chapter 11 will require administrative costs that will negate all of the possible recoveries from non-insider unsecured creditors. A Plan of Reorganization to provide any recoveries to the general unsecured creditors will be further complicated since the sister's \$464,000.00 claim will vastly overwhelm the other unsecured creditors, providing them with a relative minuscule dividend share. Even then, based on the actual projected income derived by the Monthly Operating Reports, little if any actual dividends to any unsecured creditor (except priority unsecured) would be available.

This case is to be converted to chapter 7, with the specific finding that there is no abuse present under Section 707(b)(1).

Appearances are required.

Party Information

Debtor(s):

Wallace Raymond Steffen Jr

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 15, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#1.00

Hrg on City of San Bernardino's Sixteenth Omnibus Objection to Claim Barbara Jenkins, to allow the parties to proceed in state court to determine the City's liability.

EH ____

(Cont. from 6/11/19)

Docket 2723

***** VACATED *** REASON: CONTINUED TO 10/22/2019 AT 1:30 PM
PER ORDER ENTERED 8/16/19 - slh**

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 15, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West, Inc. d/b/a Altavita Villag

Chapter 11

#2.00

Hrg. on Chapter 11 Status Conference

(Cont. from 6/11/19)

EH_____

Docket 1

***** VACATED *** REASON: Cont. to 10/22/19 @ 1:30 p.m. - John**

Party Information

Debtor(s):

Air Force Village West, Inc. d/b/a

Represented By
Samuel R Maizel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 16, 2019

Hearing Room 126

1:30 PM

6:16-13798 DESERT RANCH LLLP

Chapter 7

Adv#: 6:18-01088 Frazer v. 395 Lampe, LLC

#1.00

PRETRIAL CONFERENCE re: Complaint by Helen R Frazer against 395 Lampe, LLC for: 1. Violation of the Automatic Stay [11 U.S.C. Section 362(A)(1), 362(A)(3) and 362(K)]; 2. Temporary Restraining Order and Preliminary Injunction; 3. Breach of Fiduciary Duty; and 4. Declaratory Relief

EH_____

(Cont. from 12/19/18)

Docket 1

***** VACATED *** REASON: Cont. to 12/4/19 @ 1:30 p.m. - jc**

Party Information

Debtor(s):

DESERT RANCH LLLP

Represented By
Jenny L Doling
Summer M Shaw

Defendant(s):

395 Lampe, LLC

Pro Se

Plaintiff(s):

Helen R Frazer

Represented By
Laurel R Zaeske

Trustee(s):

Helen R. Frazer (TR)

Represented By
Laurel R Zaeske

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 17, 2019

Hearing Room 5C

11:00 AM

8:14-14105 Randall William Blanchard

Chapter 11

#1.00

CONT'D POST-CONFIRMATION STATUS CONFERENCE Hearing RE: (1)
Case Management Conference And (2) Requiring Status Report
(Petition filed 7/1/14) (Set per Order Confirming Plan Entered 9-25-15)

FR: Advanced from 8-21-14; Advanced from 8-7-14 at 11:00 a.m.; 8-7-14;
12-11-14; 1-15-15; 1-29-15; 5-7-15; 7-9-15; 9-17-15; 4-14-16; 4-28-16;
10-13-16; 4-20-17; 4-19-17: Advanced from 4-19-18; 4-5-18; 10-18-18;
10-25-18; 4-18-19

Docket 1

***** VACATED *** REASON: CONTINUED TO OCTOBER 24, 2019 AT
11:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 6-12-19 - (DOCKET NO. [783])**

Party Information

Debtor(s):

Randall William Blanchard

Represented By
Marc J Winthrop
Garrick A Hollander
Jacob C Gonzales

Trustee(s):

Richard Pachulski (TR)

Represented By
Teddy M Kapur
Jeremy V Richards

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 17, 2019

Hearing Room 5C

11:00 AM

8:15-10721 American Spectrum Realty Inc., a Maryland Corporat

Chapter 11

#2.00

CONT'D POST CONFIRMATION STATUS CONFERENCE Hearing: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 2/13/15) (Plan Confirmed on 7/8/16) (Set per Order Entered 7/8/16)

FR: 7-23-15; 1-7-16; 3-3-16; 3-31-16; 6-23-16; 11-16-16; 11-17-16; 11-30-16; 12-1-16, 5-11-17; 12-14-17; 5-31-18; 8-23-18; 1-31-19; 4-18-19

Docket 1

***** VACATED *** REASON: CONTINUED TO OCTOBER 24, 2019 AT 11:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE ENTERED 6-12-19 - (DOCKET NO. [1769])**

Party Information

Debtor(s):

American Spectrum Realty Inc., a

Represented By
Robert E Opera
Peter W Lianides
Andrew B Levin

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

10:00 AM

6:19-15264 Michael Anthony Ward

Chapter 7

#1.00

Rutan & Tucker, LLP - movant attorney

Motion for relief from Stay

Tracey Janine Turner; Shelley Lynn Arends vs DEBTOR
(Motion filed 9/23/19)

Re: Arends Trust; Turner, et al v. Ward, et al - Docket Number
37-2018-00043620-PR-TR-CTL

EH _____

Docket 14

Tentative Ruling:

Tentative for 10/22/19:

The Tracey Turner/Shelley Arends proof of claim (Claim Number 5) is unliquidated at this time. Since several other claims exist, including a significant Claim Number 1 filed by Alice Ward in the amount of \$121,643.97, sooner or later, Claim Number 5 will have to be liquidated in order for the Chapter 7 Trustee to make distributions. The Bar Date (October 11, 2019) has passed in this case, and the Trustee has noticed a possible dividend. The Court would like to understand from the Trustee which assets he identifies as generating a possible dividend to the creditors.

The litigation pending in the San Diego Superior Court will solve at least one issue, liquidation of Claim Number 5. However, the Court also speculates that the State Court may create a constructive trust on the real property owned by the Debtor which may have been acquired by the funds which possibly should have been placed in Trust by (now deceased) Joan Arends. The Court is not aware of any lis pendens on the property, and the Trustee should review this and report to the Court.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

10:00 AM

CONT... Michael Anthony Ward

Chapter 7

Whether or not this is a type of "probate" proceeding for which the probate exception was created, the claim requires liquidation and the State Court is in the best position to address these issues. The Court believes that the Trustee should be completely aware of the state court proceedings, and if necessary, included therein. Although the Court notes that such involvement would be up to the State Court and the parties.

The Court is inclined to GRANT the Motion for Relief from Stay, except that no judgment may be enforced without further order of this Court.

Appearances are required.

Party Information

Debtor(s):

Michael Anthony Ward

Represented By
Jenny L Doling

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

10:00 AM

6:19-16529 Felipe Garcia Garcia

Chapter 7

#2.00

Shapiro, Van Ess, Sherman & Marth, LLP - movant attorney

Motion for Relief from Stay

U.S. Bank National Association vs. DEBTOR
(Motion filed 9/4/19)

Re: 2303 Bennington Drive, Vallejo, CA 94591

EH_____

Docket 10

Tentative Ruling:

Tentative for 10/22/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(4) with 4001(a)(3) waiver. The request for relief under § 362(d)(2) is denied as the Movant failed to show insufficient equity in the property.

"To obtain relief under § 362(d)(4), the court must find three elements to be present. First, debtor's bankruptcy filing must have been part of a scheme. Second, the object of the scheme must be to delay, hinder, or defraud creditors. Third, the scheme must involve either (a) the transfer of some interest in the real property without the secured creditor's consent or court approval, or (b) multiple bankruptcy filings affecting the property. For the court to grant relief under § 362(d)(4), and thus trigger two years of prospective relief as to the subject real property, it must affirmatively find that the three elements above are present." *In re First Yorkshire Holdings, Inc.*, 470 B.R. 864, 870-71 (B.A.P. 9th Cir. 2012).

Here, Movant has submitted evidence of a scheme to delay, hinder or defraud, involving the transfer of an interest in the property without Movant's consent and the multiple bankruptcy filings affecting the property.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

10:00 AM

CONT... Felipe Garcia Garcia

Chapter 7

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. The Court has determined that this matter is appropriate for disposition without a hearing. No hearing will be held.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Felipe Garcia Garcia

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

10:00 AM

6:19-17006 Mark G. Van Duyne

Chapter 7

#3.00

McCarthy & Holthus, LLP - movant attorney

Motion for Relief from Stay

JPMorgan Chase Bank, National Association vs. DEBTOR
(Motion filed 9/30/19)

Re: 10353 Orange St, Alta Loma, CA 91737

EH_____

Docket 13

Tentative Ruling:

Tentative for 10/22/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver. The request for relief under § 362(d)(2) is denied as the property has equity.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Mark G. Van Duyne

Represented By
Keith Q Nguyen

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

10:00 AM

6:19-17090 Margarita Kennedy

Chapter 7

#4.00

McCalla Raymer Leibert Pierce, LLP- movant attorney

Motion for Relief from Stay

Nationstar Mortgage LLCvs. DEBTOR
(Motion filed 9/5/19)

Re: 1537 Palomar Mountain Place, Hemet, CA 92545 Under 11 U.S.C. § 362

EH_____

(Tele. appr. Dane Exnowski, rep. creditor, Nationstar Mortgage, LLC)

Docket 10

Tentative Ruling:

Tentative for 10/22/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

The Movant has submitted a copy of the Loan Modification Agreement modifying the terms of the Note and Deed of Trust, which names Movant as the beneficiary of the security agreement. Further, Movant has submitted sufficient evidence to establish entitlement to relief from stay for cause as Debtor has no equity in the property and Movant is not adequately protected. The bankruptcy court has discretion to grant or deny relief from stay so long as the moving party has presented a colorable claim to the property at stake. *In re Veal*, 450 B.R. 897,914-15 (9th Cir. BAP (Ariz.), 2011); *In re Luz Int'l*, 219 B.R. 837, 842 (9th Cir. BAP 1998). Simply put, motions for relief from stay are summary proceedings. *Id.*; see also *Grella v. Salem Five Cent Sav. Bank*, 42 F.3d 26, 33 (1st Cir.1994).

Debtor argues that relief should be denied because Movant allegedly violated

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

10:00 AM

CONT... Margarita Kennedy

Chapter 7

the Servicemembers Civil Relief Act. However, this is not a defense to the properly filed and supported Motion for Relief From Stay. This defense may be raised in an unlawful detainer action in State Court.

Appearances are required.

Party Information

Debtor(s):

Margarita Kennedy

Represented By
Brian J Soo-Hoo

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

10:00 AM

6:19-17189 Christopher Robert Conradt

Chapter 7

#5.00

Bonial & Associates - movant attorney

Motion for Relief from Stay

Toyota Lease Trust vs DEBTOR
(Motion filed 9/20/19)

RE: 2019 TOYOTA CAMRY VIN 4T1B11HKXKU737585

EH _____

(Tele. appr. Richard Bauer, rep. movant, Toyota Lease Trust)

Docket 10

Tentative Ruling:

Tentative for 10/22/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Christopher Robert Conradt

Represented By
Brian J Soo-Hoo

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

10:00 AM

CONT... Christopher Robert Conradt

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

11:00 AM

6:09-27608 Nathan Bert Gladney and Doreen Ann Gladney

Chapter 7

#6.00

Hrg. on approval of trustee's final report and applications for compensation

EH_____

Docket 64

Tentative Ruling:

Tentative for 10/22/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Nathan Bert Gladney

Represented By
Julie Philippi
Todd L Turoci

Joint Debtor(s):

Doreen Ann Gladney

Represented By
Julie Philippi
Todd L Turoci

Trustee(s):

John P Pringle (TR)

Represented By
Leonard M Shulman
Brandon J Iskander
John P Pringle

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

11:00 AM

CONT... Nathan Bert Gladney and Doreen Ann Gladney

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

11:00 AM

6:17-15892 Dura Logistics, Inc.

Chapter 7

#7.00

Hrg. on approval of trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 10/22/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Dura Logistics, Inc.

Represented By
Paul Y Lee

Trustee(s):

Karl T Anderson (TR)

Represented By
Robert A Hessling

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

11:00 AM

6:17-19913 Thomas John Forrest

Chapter 7

#8.00

Hrg. on chapter 7 trustee's First Interim Fee Application for the Period November 30, 2017 to August 31, 2019, Fees: \$20,071.09, Expenses: \$0.00.

Docket 103

Tentative Ruling:

Tentative for 10/22/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Thomas John Forrest

Represented By
Michael F Chekian

Trustee(s):

Larry D Simons (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

11:00 AM

6:17-19913 Thomas John Forrest

Chapter 7

#9.00

Hrg. on Interim Fee Application for Compensation and Reimbursement of Expenses Incurred by Attorney for Chapter 7 Trustee for Wesley H Avery, Trustee's Attorney, Period: 9/1/2018 to 9/30/2019, Fee: \$86111, Expenses: \$745.65.

EH_____

Docket 105

Tentative Ruling:

Tentative for 10/22/19 is to CONTINUE this matter to November 19, 2019 at 11:00 a.m. in order to allow the UST to review the application.

Appearances are excused.

Party Information

Debtor(s):

Thomas John Forrest

Represented By
Michael F Chekian

Trustee(s):

Larry D Simons (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

11:00 AM

6:19-10789 Endy Y Cruz

Chapter 7

#10.00

Hrg. on chapter 7 trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 10/22/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Endy Y Cruz

Represented By
Francis Guilardi

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

11:00 AM

6:19-12602 Michael Dee Harris and Tanieka Danielle Miles-Harris

Chapter 7

#11.00

Hrg. on chapter 7 trustee's Motion filed 9/16/19 to Dismiss Case and Vacate Discharge if Previously Entered

EH_____

Docket 22

Tentative Ruling:

Tentative for 10/22/2019:

The Court is inclined to GRANT Trustee's motion to dismiss this case under 11. U.S.C. § 305 with a 180-day bar pursuant to 11 U.S.C. § 109(g). However, the Court notes that Trustee's request to vacate discharge is inapplicable as no discharge has been granted.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Michael Dee Harris	Pro Se
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Joint Debtor(s):

Tanieka Danielle Miles-Harris	Pro Se
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Trustee(s):

Robert Whitmore (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

11:00 AM

6:19-13800 Cesar Augusto Esquivel

Chapter 7

#12.00

Hrg on Attorney for Debtors Motion filed 7/12/19 to Avoid Lien Property Lien with PACCAR Financial Corp

EH ____

Docket 18

***** VACATED *** REASON: Cont. to 11/5/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cesar Augusto Esquivel

Represented By
George P Hobson Jr

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

11:00 AM

6:19-15385 Jennifer Acosta

Chapter 7

#13.00

Hrg on Motion of United States Trustee filed 9/11/19 for an Order Imposing Fines, Awarding Damages and Disgorging Fees Against Bankruptcy Petition Preparer Jaspas Jackson Pursuant to 11 U.S.C. Section 110 and FRBP 2016

EH _____

Docket 19

Tentative Ruling:

Tentative for 10/22/2019:

The Court is inclined to GRANT the motion.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jennifer Acosta

Pro Se

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

11:00 AM

6:19-16007 Gail Ann Reynolds

Chapter 7

#14.00

Hrg on United States Trustee Motion filed 9/19/19 for an Order Disgoring Fees, Assessing Damages, and Imposing Fines Against Bankruptcy Petition Preparer Curtis L. Wall

EH _____

Docket 15

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION RESOLVING MOTION ENTERED 10-17-19 - (DOCKET
NO. [24])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gail Ann Reynolds

Pro Se

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#15.00

Hrg. on Debtor's Objection filed 7/25/19 to Claims of Placo San Bernardino, LLC (Proof of Claim No. 203)

(Cont. from 8/22/19)

EH_____

Docket 2872

Tentative Ruling:

Tentative for 10/22/2019:

The Court will CONTINUE this matter to November 5, 2019 @ 1:30 p.m. No supplemental briefings will be accepted.

Appearances are excused.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#16.00

Hrg on City of San Bernardino's Sixteenth Omnibus Objection to Claim Barbara Jenkins, to allow the parties to proceed in state court to determine the City's liability.

EH ____

(Cont. from 6/11/19; 10/15/19)

Docket 2723

Tentative Ruling:

Tentative for 10/22/19:

The Court has reviewed and reviewed the status report filed October 8, 2019 [Dk. 2894] and is inclined to CONTINUE this matter to April 14, 2020 @ 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Revised Tentative for 6/11/19:

The Court has received and reviewed the status report filed May 28, 2019 [Dk. 2842] and the Supplemental Report filed June 7, 2019 [Dk. 2845] and will CONTINUE this matter to October 15, 2019 at 1:30 p.m. A status report is due 14 days in advance. If a final determination has been made in the state court proceeding, Movant should supplement its moving papers with appropriate authority and serve them 14 days prior to the continued hearing. Movant is to provide notice of the foregoing to claimant by no later than June 15, 2019.

Appearances are excused.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

1:30 PM

CONT... City of San Bernardino, California

Chapter 9

Tentative for 1/22/19 is to SUSTAIN the objections and DISALLOW the claims in the Sixteenth Omnibus Objection to Claims [Dk. 2723] ("Objection") except as follows:

With respect to the claim of Barbara Jenkins, this matter is CONTINUED to June 11, 2019 at 1:30 p.m. to allow the parties to proceed in state court to determine the City's liability. To the extent it is necessary, the Court GRANTS relief from the automatic stay for the parties to proceed in the non-bankruptcy forum for this purpose. The parties must file a status report fourteen days in advance of the continued hearing.

Appearances are excused.

The 1/22/19 hearing is VACATED; no hearing will be held.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#17.00

Hrg. on Application for Compensation (Renewed First & Final) of Illyssa I. Fogel & Associates, Former General Bankruptcy Counsel to the Debtor. for Illyssa I Fogel, Debtor's Attorney, Period: 8/6/2018 to 11/19/2018, Fee: \$105,510.00, Expenses: \$356.00

(Cont. from 9/17/19)

EH_____

Docket 333

Tentative Ruling:

Tentative for 10/22/19:

This matter was continued from the 9/17/19 hearing to allow the UST to evaluate Counsel's revised application. Previously, the Court and the UST had identified multiple issues with Counsel's application, including vague and block billing containing clerical tasks and general excesses. The revised application contains the same issues previously identified.

The UST argues correctly that the application still evidences significant lumped time, vague entries, excessive fees, and clerical entries. In dollar terms, lumped entries total \$59,400.00 of the total amounts requested in the application. The UST suggests that additional information may be required to determine the extent of duplicate/unnecessary services resulting from overlap after substitution of counsel. The UST requested that the Court deny the fee application, sustain the objections raised, and reduce Counsel's fees (although, it did not specify an amount of fees that the UST believed would be appropriate).

The Court, based on its independent review and the UST Objection filed 10/08/2019 [Dk. 349], is inclined to award fees in the amount of \$46,110.00 and \$356.00 in expenses. The awarded fees have been calculated by reducing the requested amount in the revised application by the \$59,400.00

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

1:30 PM

CONT... Lovejoy's Family Moving., Inc., dba Republic
identified as lumped entries.

Chapter 11

Appearances are required.

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes

Peter W Lianides

Alastair M Gesmundo

Robert E Opera

Winthrop Couchot Golubow Hollander LLP)

Lisa Fogel & Associates

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West, Inc. d/b/a Altavita Villag

Chapter 11

#18.00

Hrg. on Chapter 11 Status Conference

(Cont. from 10/15/19)

EH_____

(Tele. appr. Sara Chenetz, rep. creditor, Official Committee of Unsecured Creditors)

Docket 1

***** VACATED *** REASON: Cont. to 11/5/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Air Force Village West, Inc. d/b/a

Represented By
Samuel R Maizel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

1:30 PM

6:19-17085 O'Linn Security Incorporated

Chapter 11

#19.00

Hrg. on Application to Employ Lawrence & Associates as Special Counsel

(Placed on calendar by order signed on 10/7/19)

Docket 51

Tentative Ruling:

Tentative for 10/22/19:

The Court has reviewed Debtor's Application to Employ Lawrence & Associates [Dk. 51] and has set this matter for hearing to request further information regarding the employment. Debtor and proposed counsel should appear and be prepared to address the following questions:

- What is the status of the litigation?
- How will billing be separated between Kimberly O'Linn and Richard O'Linn from Debtor?
- How will counsel represent multiple parties in the litigation and keep all interests separated?
- How will counsel avoid conflicts in both litigation and settlement?
- Would there be a substantial hardship imposed on Debtor if required to employ different counsel?
- What are those hardships?
- What are the terms of the retainer agreement?
- When was counsel employed pre-petition, under what terms, and how much was she previously paid by Debtor?
- Why should counsel be employed as of August 13, 2019?

Appearances are required.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, October 22, 2019

Hearing Room 126

1:30 PM

CONT... O'Linn Security Incorporated

Chapter 11

Debtor(s):

O'Linn Security Incorporated

Represented By
Steven R Fox
W. Sloan Youkstetter

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

6:14-19919 Pradeep Singh

Chapter 7

Adv#: 6:14-01300 Bruner et al v. Singh

#7.00

Status Conference re: Complaint by John Bruner, Irene Bruner against Pradeep Singh pursuant to §523(a)(2) and §523(a)(4)

(Cont. from 9/4/19)

EH_____

Docket 1

***** VACATED *** REASON: Order Dismissing case enterer on 10/7/19 -
jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Pradeep Singh

Represented By
M Wayne Tucker

Defendant(s):

Pradeep Singh

Pro Se

Joint Debtor(s):

Rindi P Singh

Represented By
M Wayne Tucker

Plaintiff(s):

John Bruner

Pro Se

Irene Bruner

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

CONT... Pradeep Singh

Chapter 7

Trustee(s):

Arturo Cisneros (TR) Pro Se

Arturo Cisneros (TR) Pro Se

U.S. Trustee(s):

United States Trustee (RS) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

6:14-19919 Pradeep Singh

Chapter 7

Adv#: 6:14-01302 Cooper et al v. Singh

#8.00

STATUS CONFERENCE Re: Complaint by William Cooper, Cheryl Cooper
against Pradeep Singh - §§ 523(a)(2), 523(a)(4)

(Cont. from 9/4/19)

EH_____

Docket 1

***** VACATED *** REASON: Order Approving Stipulation to Dismiss
Adversary Action on 10/2/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

3rd Party Defendant(s):

Pradeep Singh Pro Se

3rd Party Plaintiff(s):

Cheryl Cooper Pro Se

William Cooper Pro Se

Debtor(s):

Pradeep Singh Represented By
M Wayne Tucker

Defendant(s):

Pradeep Singh Pro Se

Joint Debtor(s):

Rindi P Singh Represented By
M Wayne Tucker

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

CONT... Pradeep Singh

Chapter 7

Plaintiff(s):

William Cooper

Represented By
Gregory W Brittain

Cheryl Cooper

Represented By
Gregory W Brittain

Trustee(s):

Arturo Cisneros (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (RS)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania
Adv#: 6:18-01201 Turoci v. Mulvania

Chapter 7

#9.00

STATUS CONFERENCE Re: Complaint by Todd Turoci against Christopher John Mulvania - §523(a)(2)(A), (B), §727(c),(d),(e)

(Cont. from 7/03/19)

EH_____

Docket 1

***** VACATED *** REASON: Cont. to 12/4/19 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Christopher John Mulvania

Pro Se

Plaintiff(s):

Todd Turoci

Represented By
Todd L Turoci

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#10.00

Hrg. on Debtor's Motion filed 9/18/19 for order authorizing Debtor-in-Possession to enter into lease of commercial real property for purposes outside the ordinary course of business pursuant to 11 U.S.C. §363(b)

EH_____

Docket 188

Tentative Ruling:

Tentative for 10/23/19:

Appearances are required.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#11.00

Hrg. on Debtor's motion filed 11/21/18 for approval of Third Amended 11 Disclosure Statement

EH_____

Docket 53

Tentative Ruling:

Tentative for 10/23/19:

Appearances are required.

Tentative for 8/6/19:

The Court has reviewed and considered all pleadings related to the Second Amended Disclosure Statement, including the Second Amended Disclosure Statement [Dk. 158] ("DS") and Plan [Dk. 156] ("Plan") filed on 6/25/19 [Dk. 158], the Opposition [Dk. 165] ("Opposition") filed by Community Valley Bank ("CVB") on 7/23/19, and the Reply to CVB's Opposition [Dk. 171] ("Reply") filed on 7/30/19.

The Opposition filed by CVB is well taken. The Plan does not meet the standards for confirmation under 11 U.S.C. § 1129(a)(7). The Plan cannot be crammed down over CVB's objection because the Plan is not "fair and equitable" to CVB. The Plan is not feasible under 11 U.S.C. § 1129(a)(11).

Appearances required.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

CONT... Investment Group, LLC

Chapter 11

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

Movant(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#12.00

Hrg. on Chapter 11 Status Conference

(Cont. from 8/6/19)

EH_____

Docket 1

Tentative Ruling:

Tentative for 10/23/19:

Appearances are required.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#13.00

Hrg. on Order to Show Cause Why this case should not be dismissed or converted

EH_____

Docket 0

Tentative Ruling:

Tentative for 10/23/19:

Appearances are required.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#13.10

Hrg. on creditor, Community Valley Bank's Motion filed 10/9/19 to Convert Case From Chapter 11 to 7 or, Alternatively, to Dismiss the Case

EH_____

Docket 193

Tentative Ruling:

Tentative for 10/23/19:

Appearances are required.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

6:18-18200 John Obrien

Chapter 7

Adv#: 6:19-01054 Frealy v. Obrien et al

#14.00

STATUS CONFERENCE RE: Complaint by Todd A. Frealy against John Obrien, Collene O'Brien, Kathalene M. Miller- §542 turnover of property, Declaratory judgment

(Cont. from 8/14/19)

EH_____

Docket 1

***** VACATED *** REASON: Adversary Case Dismissed on 10/15/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John Obrien

Represented By
Christopher J Murtagh

Defendant(s):

John Obrien

Pro Se

Collene O'Brien

Pro Se

Kathalene M. Miller

Pro Se

Joint Debtor(s):

Tracy Obrien

Represented By
Christopher J Murtagh

Plaintiff(s):

Todd A. Frealy

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

CONT... John O'Brien

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Represented By
Christopher J Murtagh
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

6:18-19561 Esteban Brito Gallegos

Chapter 7

Adv#: 6:19-01043 Whitmore v. Brito et al

#15.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against Anhely Brito, Edwin Brito - 548 fraudulent transfer

(Cont. from 7/17/19)

EH_____

Docket 1

***** VACATED *** REASON: Order Approving Stipulation to dismiss
adversary proceeding signed 9/5/19 [FRBP 7041(a)} - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Esteban Brito Gallegos

Represented By
Priscilla C Solario

Defendant(s):

Anhely Brito

Pro Se

Edwin Brito

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Julie Philippi

Trustee(s):

Robert Whitmore (TR)

Represented By
Julie Philippi

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

6:19-13251 David Henry Hilton, Jr.

Chapter 7

Adv#: 6:19-01110 Redd v. Hilton, Jr.

#16.00

STATUS CONFERENCE re: Complaint by LaToya S Redd against David Henry Hilton Jr.. - 727, 523(a)(2)

EH_____

Docket 1

Tentative Ruling:

Tentative for 10/23/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: March 30, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: May 11, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: June 24, 2020 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

David Henry Hilton Jr.

Represented By
Jenny L Doling
Summer M Shaw

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

CONT... David Henry Hilton, Jr.

Chapter 7

Defendant(s):

David Henry Hilton Jr.

Represented By
Jenny L Doling

Plaintiff(s):

LaToya S Redd

Pro Se

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

6:19-14435 William Duane Portillo
Adv#: 6:19-01113 Segovia v. Portillo

Chapter 7

#17.00

STATUS CONFERENCE re: Complaint by Arturo Segovia against William Duane Portillo. - 727(c),(d),(e), 523 (a)(2)

EH_____

Docket 1

Tentative Ruling:

Tentative for 10/23/19:

The Court notes that both parties have failed to comply with LBR 7016. The Court will excuse the noncompliance in this instance, but the parties are cautioned to follow all applicable rules or risk future sanctions. Further, the Court notes that Defendant's answer was filed in the main case. Defendant is instructed to file it in this adversary proceeding.

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: December 31, 2019. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: February 14, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: April 1, 2020 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, October 23, 2019

Hearing Room 126

1:30 PM

CONT... William Duane Portillo

Chapter 7

Party Information

Debtor(s):

William Duane Portillo

Represented By
Speros P Maniates

Defendant(s):

William Duane Portillo

Pro Se

Plaintiff(s):

Arturo Segovia

Represented By
Joseph S Park

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 23, 2019

Hearing Room 5C

10:00 AM

8:17-13506 John Richard Garcia

Chapter 7

Adv#: 8:19-01148 Weneta M.A. Kosmala, solely in her capacity as Cha v. Garcia et al

#1.00

STATUS CONFERENCE Hearing RE: Complaint For:
(1) Authorization To Sell Real Property In Which Co-Owner Holds Interest Pursuant To 11 U.S.C. Section 363(h); And
(2) For Turnover Of Estate Property Pursuant To 11 U.S.C. Section 542 (Complaint filed 7/17/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO FEBRUARY 12, 2020 AT 11:00 A.M. PER ORDER ENTERED 10-16-19 - (DOCKET NO. [7])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John Richard Garcia

Represented By
Raymond J Bulaon

Defendant(s):

Angie M Garcia

Pro Se

Christina Garcia

Pro Se

Angie M. Garcia and Christina

Pro Se

Plaintiff(s):

Weneta M.A. Kosmala, solely in her

Represented By
Reem J Bello

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 23, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01050 Marshack v. Yellowstone Capital West, LLC

#2.00

Hearing RE: Motion to Dismiss
(Motion filed 9/6/19)

Docket 28

***** VACATED *** REASON: CONTINUED TO NOVEMBER 6, 2019 AT
11:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE
HEARING ENTERED 10-18-19 - (DOCKET NO. [34])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Yellowstone Capital West, LLC

Represented By
Matthew A Lesnick

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden
Beth Gaschen

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 23, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Matthew Grimshaw
M Douglas Flahaut

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 23, 2019

Hearing Room 5C

10:00 AM

8:18-13588 Tim M McKenna

Chapter 7

Adv#: 8:19-01004 Law Offices of Michelle J. Sukhov, Inc. v. McKenna

#3.00

Hearing RE: Motion For Judgment On The Pleadings For Failure To State A Claim Upon Which Relief Can Be Granted
(Motion filed 9/16/19)

Docket 18

***** VACATED *** REASON: OFF CALENDAR - ORDER DENYING
MOTION FOR JUDGMENT ON THE PLEADINGS ENTERED 10-8-19
(DOCKET NO. [30])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tim M McKenna

Represented By
Michael G Spector

Defendant(s):

Tim M McKenna

Represented By
Michael G Spector

Plaintiff(s):

Law Offices of Michelle J. Sukhov,

Represented By
Michelle J Nelson
Fritz J Firman

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Ryan W Beall
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 23, 2019

Hearing Room 5C

10:00 AM

8:18-13588 Tim M McKenna

Chapter 7

Adv#: 8:19-01004 Law Offices of Michelle J. Sukhov, Inc. v. McKenna

#3.10

Hearing RE: Motion To Extend The Discovery Cut-Off And Pre-Trial Dates
(Motion filed 10/2/19)

Docket 26

***** VACATED *** REASON: OFF CALENDAR - ORDER DENYING
MOTION ENTERED 10-8-19 - (DOCKET NO. [29])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tim M McKenna

Represented By
Michael G Spector

Defendant(s):

Tim M McKenna

Represented By
Michael G Spector

Plaintiff(s):

Law Offices of Michelle J. Sukhov,

Represented By
Michelle J Nelson
Fritz J Firman

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Ryan W Beall
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 23, 2019

Hearing Room 5C

10:00 AM

8:19-10093 Hung Nguyen

Chapter 7

Adv#: 8:19-01067 Van der Laan v. Nguyen

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For
Nondischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(2)(A)
(Complaint filed 4/14/19)
(Another Summons issued 7/24/19)

FR: 7-3-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER DENYING
MOTION FOR DEFAULT JUDGMENT AND DISMISSING CASE
ENTERED 10-15-19 - (DOCKET NO. [36])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hung Nguyen

Represented By
Alex L Benedict

Defendant(s):

Hung (Johnny) Nguyen

Pro Se

Plaintiff(s):

Jacob Van der Laan

Represented By
Treg A. Julander
John E Lattin

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 23, 2019

Hearing Room 5C

10:00 AM

8:19-11334 Tram Anh Phan

Chapter 7

Adv#: 8:19-01151 Murrin v. Phan

#5.00

STATUS CONFERENCE Hearing RE: Complaint For:
(1) Fraud Dischargeability - 11 U.S.C. Section 523(a)(4);
(2) Fraud Dischargeability - 11 U.S.C. Section 523(a)(12)
(Complaint filed 7/22/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 20, 2019
AT 11:00 A.M. PER ORDER GRANTING MOTION WITH LEAVE TO
AMEND ENTERED 10-15-19 - (DOCKET NO. [8])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tram Anh Phan

Represented By
Amid Bahadori

Defendant(s):

Tram A Phan

Pro Se

Plaintiff(s):

Garth Murrin

Pro Se

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, October 23, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#6.00

Hearing RE: Chapter 7 Trustee's Motion For Order Approving The Trustee's Sale And Settlement Agreement With Judgment Creditors Lopez And Arellano Including The Sale Of Pending Appeals Pursuant To Section 363 And Federal Rule Of Bankruptcy Procedure 9019
(Motion filed 9/20/19)

Docket 267

Tentative Ruling:

Tentative for 10/23/19:

The Court is inclined to GRANT the motion as it is in the best interest of the estate.

Appearances are excused.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, October 24, 2019

Hearing Room 126

10:00 AM

6:18-19174 Cecil Jerry Edens, Jr

Chapter 7

#1.00

Barrett Daffin Frappier Treder & Weiss, LLP - movant attorney

Motion for Relief from Stay

The Bank of New York Mellon vs. DEBTOR
(Motion filed 12/10/18)

(Cont. from 9/17/19)

Re: 45251 Saint Tisbury Street, Temecula, CA 92592

EH_____

Docket 29

*** VACATED *** REASON: Order continuing hearing to 11/5/19 @
10:00 a.m. entered 10/17/19 - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cecil Jerry Edens Jr

Represented By
Joseph A West

Movant(s):

The Bank of New York Mellon,

Represented By
Darlene C Vigil

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

10:00 AM

8:18-13068 Javanshir Khazali

Chapter 7

#2.00

Motion for relief from stay [Personal Property]

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 9/19/19)

[RE: 2007 Toyota FJ Cruiser - VIN No.: JTEZU11F470001369]

[Tele. appr., Kristen M. Martinez, repr., Toyota Motor Credit Corporation]

Docket 72

Tentative Ruling:

Tentative for 10/24/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Javanshir Khazali

Represented By
Richard G Heston

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

10:00 AM

8:19-13256 Jacari Kamonta Polk

Chapter 7

#3.00

Motion for relief from stay [Personal Property]

Honda Lease Trust vs. DEBTOR; And Jeffrey I. Golden, Chapter 7 Trustee
(Motion filed 9/25/19)

[RE: 2019 Acura RDX - VIN No.: 5J8T C2H6 8KL0 24283]

Docket 8

Tentative Ruling:

Tentative for 10/24/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jacari Kamonta Polk

Pro Se

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

10:00 AM

8:19-13360 Anselmo Al Velazquez Sandoval and Betsy Velazquez

Chapter 7

#4.00

Motion for relief from stay [Personal Property]

Bank Of The West vs. DEBTORS
(Motion filed 9/27/19)

[RE: 2015 Mercedes-Benz C300 - VIN No.: 55SWF4JB6FU063581]

[Tele. appr., Mary E. Tang, repr., Bank Of The West]

Docket 8

Tentative Ruling:

Tentative for 10/24/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Anselmo Al Velazquez Sandoval

Represented By
Marlin Branstetter

Joint Debtor(s):

Betsy Velazquez

Represented By
Marlin Branstetter

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

10:00 AM

CONT... Anselmo Al Velazquez Sandoval and Betsy Velazquez

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room

5C

10:00 AM

8:19-13369 Hussein Salah Suheimat and Lucy Emmanuel Shirajian

Chapter 7

#5.00

Motion for relief from stay [Personal Property]

Daimler Trust vs. DEBTORS
(Motion filed 9/20/19)

[RE: 2015 Mercedes-Benz SL63 - VIN: WDDJK7EA2FF036521]

[Tele. appr., John H. Kim, repr., MB]

[Tele. appr., Michael A. Cisneros, repr., Hussein Suheimat and Lucy Sirajian]

Docket 18

Tentative Ruling:

Tentative for 10/24/19:

Appearances are required.

Party Information

Debtor(s):

Hussein Salah Suheimat

Represented By
Michael A Cisneros

Joint Debtor(s):

Lucy Emmanuel Shirajian

Represented By
Michael A Cisneros

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

10:00 AM

8:19-13476 Michael Padilla Samson

Chapter 7

#6.00

Motion for relief from stay [Personal Property]

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 9/26/19)

[RE: 2015 Lexus CT200H]

[Tele. appr., Kristen M. Martinez, repr., Toyota Motor Credit Corporation]

Docket 8

Tentative Ruling:

Tentative for 10/24/19:

DENY the Motion, as the Movant has failed to provide evidence establishing its lienholder status.

Note: If Movant agrees with the above tentative, no appearance by Movant is required.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Michael Padilla Samson

Represented By
Glenn Ward Calsada

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

11:00 AM

8:14-14105 Randall William Blanchard

Chapter 11

#7.00

CONT'D POST-CONFIRMATION STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 7/1/14) (Set per Order Confirming Plan Entered 9-25-15)

FR: Advanced from 8-21-14; Advanced from 8-7-14 at 11:00 a.m.; 8-7-14; 12-11-14; 1-15-15; 1-29-15; 5-7-15; 7-9-15; 9-17-15; 4-14-16; 4-28-16; 10-13-16; 4-20-17; 4-19-17: Advanced from 4-19-18; 4-5-18; 10-18-18; 10-25-18; 4-18-19; 10-17-19

[Tele. appr., Teddy Kapur, repr., Administrator, Richard Pachulski]

Docket 1

Tentative Ruling:

Tentative for 10/24/19:

The parties are requested to appear and should be prepared to address the following questions:

1. Who are the arbitrating parties in this instance?
2. Is there anything related to the bankruptcy case that forestalls or otherwise impairs the parties from arbitrating?
3. Is there anything the court should or must do to permit or facilitate arbitration of these issues?

Appearances are required. Telephonic appearances are permitted and encouraged.

Tentative for 4/18/18:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

11:00 AM

CONT... Randall William Blanchard

Chapter 11

The Court has received and reviewed the post-confirmation status report filed 4/4/19 [Dk. 779] and will CONTINUE the status conference to October 17, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Randall William Blanchard

Represented By
Marc J Winthrop
Garrick A Hollander
Jacob C Gonzales

Trustee(s):

Richard Pachulski (TR)

Represented By
Teddy M Kapur
Jeremy V Richards

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

11:00 AM

8:15-10721 American Spectrum Realty Inc., a Maryland Corporat

Chapter 11

#8.00

CONT'D POST CONFIRMATION STATUS CONFERENCE Hearing: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 2/13/15) (Plan Confirmed on 7/8/16) (Set per Order Entered 7/8/16)

FR: 7-23-15; 1-7-16; 3-3-16; 3-31-16; 6-23-16; 11-16-16; 11-17-16; 11-30-16; 12-1-16, 5-11-17; 12-14-17; 5-31-18; 8-23-18; 1-31-19; 4-18-19; 10-24-19

Docket 1

Tentative Ruling:

Tentative for 10/24/19:

The Court has received and reviewed the post-confirmation status report filed 10/9/19 [Dk. 1773] and will CONTINUE the status conference to February 13, 2020 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 4/18/18:

The Court has received and reviewed the post-confirmation status report filed 4/4/19 [Dk. 1765] and will CONTINUE the status conference to October 17, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 8/23/18 is to CONTINUE this matter to January 31, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

11:00 AM

CONT... American Spectrum Realty Inc., a Maryland Corporat

Chapter 11

Tentative for 5/31/18:

The Court has received and reviewed the status report filed on 5/23/18 [Dk. 1728]. This matter is CONTINUED to 8/23/18 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 12/14/17:

The Court has received and reviewed the status report filed on 12/1/17 [Dk. 1688]. This matter is CONTINUED to 5/31/18 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 5/11/17:

The Court has received and reviewed the status report filed on 4/27/17 [Dk. 1564]. This matter is CONTINUED to 12/14/17 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

American Spectrum Realty Inc., a

Represented By
Robert E Opera
Peter W Lianides
Andrew B Levin

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

11:00 AM

8:16-15064 Charles Flowers Harrison

Chapter 11

Adv#: 8:19-01076 Harrison et al v. Capital One Bank (USA), National Association

#9.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Declaratory Relief Regarding The Nature, Extent And Validity Of Lien As To
Capital One Bank (USA), National Association Pertaining To The Real Property
Located At 7537 E. Twinleaf Trail, Orange, California;
(2) Disallow Claim, If Any, And To Remove Lien, If Any, From The Real
Property Located At 7537 E. Twinleaf Trail
(Complaint filed 5/1/19)
(Another Summons issued 7/19/19)

FR: 7-18-19

Docket 1

***** VACATED *** REASON: CONTINUED TO MARCH 19, 2020 AT
11:00 A.M. PER HEARING HELD 10-10-19 -**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones
Sara Tidd

Defendant(s):

Capital One Bank (USA), National

Pro Se

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

11:00 AM

CONT... Charles Flowers Harrison

Chapter 11

Plaintiff(s):

Charles Flowers Harrison

Represented By
Michael Jones

Martha Isabel Montoya

Represented By
Michael Jones

Axis CP I, LLC

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room

5C

11:00 AM

8:17-11743 Cecilio Romero Murrietta and Irma Bonilla Murrietta

Chapter 11

#10.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 5/1/17)

FR: 6-15-17; 6-29-17; 9-14-17; 10-5-17; 12-7-17; 12-14-17; 2-22-18; 5-31-18; 8-23-18; 1-31-19; 4-18-19; 8-15-19

Docket 1

Tentative Ruling:

Tentative for 10/24/19:

Appearances are required.

Tentative for 8/15/19:

The Court has received and reviewed the status report filed on August 1, 2019 [Dk. 241], and will continue the status conference to October 24, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 4/18/19:

The Court is inclined to set the following dates/deadlines:

1. Deadline to file a plan and disclosure statement - June 30, 2019.
2. A Continued Chapter 11 Status Conference - August 15, 2019 at 11:00 a.m. A status report is due 14 days in advance.

The Trustee (himself or through his counsel) should be prepared to orally

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

11:00 AM

CONT... **Cecilio Romero Murrietta and Irma Bonilla Murrietta** **Chapter 11**
provide the Court with a current and projected financial overview of Debtor,
including a summary of all claims.

Appearances required.

Party Information

Debtor(s):

Cecilio Romero Murrietta

Represented By
Andrew S Bisom

Joint Debtor(s):

Irma Bonilla Murrietta

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#11.00

Hearing RE: Motion For Order Dismissing Case Pursuant To Section 1112(b)
Of The Bankruptcy Code
(Motion filed 10/2/19)

[Tele. appr., Simon Aron, repr., Brandywine]

Docket 92

Tentative Ruling:

Tentative for 10/24/19:

Appearances are required.

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron
Johnny White

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, October 24, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#12.00

Hearing RE: Motion For Order Approving Compromise Pursuant To Federal Rules Of Bankruptcy Procedure 9019
(Motion filed 10/2/19)

[Tele. appr., Simon Aron, repr., Brandywine]

Docket 91

Tentative Ruling:

Tentative for 10/24/19:

Appearances are required.

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron
Johnny White

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

6:18-14733 Juan Esparza

Chapter 7

#1.00

Robertson, Anschutz & Schneid, PL - movant attorney

Motion for Relief from Stay

U.S. Bank National Association vs. DEBTOR
(Motion filed 10/4/19)

Re: 15891 La Costa Alta Drive, Moreno Valley, CA 92555

EH_____

Docket 76

Tentative Ruling:

Tentative for 11/05/19:

GRANT pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Juan Esparza

Represented By
Joseph A Weber

Trustee(s):

Howard B Grobstein (TR)

Represented By
Noreen A Madoyan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

CONT...

Juan Esparza

Meghann A Triplett

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

6:19-17006 Mark G. Van Duyne

Chapter 7

#2.00

Mary Ellmann Tang, Esq. - movant attorney

Motion for Relief from Stay

Bank of the West vs. DEBTOR
(Motion filed 10/11/19)

Re: 2017 Keystone Cougar M-326 RDS Travel Trailer

EH_____

Docket 15

Tentative Ruling:

Tentative for 11/05/19:

GRANT pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Mark G. Van Duyne

Represented By
Keith Q Nguyen

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

6:19-17090 Margarita Kennedy

Chapter 7

#3.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA Inc. vs. DEBTOR, Charles W. Daff, trustee
(Motion filed 10/3/19)

Re: 2013 Chevrolet Spark, VIN:KL8CD6S95DC567222

EH_____

Docket 19

Tentative Ruling:

Tentative for 11/05/19:

GRANT pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Margarita Kennedy

Represented By
Brian J Soo-Hoo

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

6:19-17647 Rosalinda Negrete

Chapter 7

#4.00

Paul V. Reza - movant attorney

Motion for Relief from Stay

SchoolsFirst Federal Credit Union vs. DEBTOR
(Motion filed 10/9/19)

RE: 2016 Nissan Rogue VIN KNMAT2MT9GP642360

EH _____

Docket 10

Tentative Ruling:

Tentative for 11/05/19:

GRANT pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Rosalinda Negrete

Represented By
Arlene M Tokarz

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

6:19-17871 Franklin James Rochelle and Marie-Josee Carrole Rochelle

Chapter 7

#5.00

Law Offices of Vincent F. Frounjian, Esq. - movant attorney

Motion for Relief from Stay

Mechanics Bank vs. DEBTOR, Todd A. Frealy, chapter 7 trustee
(Motion filed 10/11/19)

Re: 2018 FORD F-150, VIN: 1FTE W1EG OJKC 41997

EH_____

Docket 15

Tentative Ruling:

Tentative for 11/05/19:

GRANT pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Franklin James Rochelle

Represented By
Aaron Lloyd

Joint Debtor(s):

Marie-Josee Carrole Rochelle

Represented By
Aaron Lloyd

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

CONT... Franklin James Rochelle and Marie-Josee Carrole Rochelle

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

6:19-17902 Keith Daniel Shaw and Keyra Shaw

Chapter 7

#6.00

Mary Ellmann Tang - movant attorney

Motion for Relief from Stay

Bank of the West vs. DEBTORS
(Motion filed 10/10/19)

Re: 2017 Forest River Wildwood Travel Trailer

EH_____

Docket 10

Tentative Ruling:

Tentative for 11/05/19 is to DENY.

The Court is inclined to DENY the Motion as Movant has failed to properly serve the joint-Debtor pursuant to LBR 4001-1. The Court notes that the petition indicates that the joint-Debtor lives at a different address than the Debtor.

Note: If Movant agrees with the above tentative, no appearance by Movant is required.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Keith Daniel Shaw

Represented By
Brian J Soo-Hoo

Joint Debtor(s):

Keyra Shaw

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

CONT... Keith Daniel Shaw and Keyra Shaw

Chapter 7

Brian J Soo-Hoo

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

6:19-17964 Melissa E. Martinez

Chapter 7

#7.00

Law Offices of Vincent V. Frounjian - movant attorney

Motion for Relief from Stay

American Honda Finance Corporation vs. DEBTOR, Karl Anderson, trustee
(Motion filed 10/8/19)

Re: 2017 HONDA ACCORD, VIN: 1HGC R2F3 8HA1 55967

EH_____

Docket 8

Tentative Ruling:

Tentative for 11/05/19:

GRANT pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Melissa E. Martinez

Represented By
Christopher J Langley

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

6:19-17986 Neal Antonio Johnson

Chapter 7

#8.00

Paul V. Reza - movant attorney

Motion for Relief from Stay

SchoolsFirst Federal Credit Union
(Motion filed 10/7/19)

Re: 2010 Land Rover Range Rover, VIN SALMF1E49AA319760

EH_____

Docket 8

Tentative Ruling:

Tentative for 11/05/19:

GRANT pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Neal Antonio Johnson

Represented By
Nicholas Nicholas Wajda

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

6:19-18053 Vicente Martinez

Chapter 7

#9.00

Paul V. Reza - movant attorney

Motion for Relief from Stay

SchoolsFirst Federal Credit Union vs. DEBTOR
(Motion filed 10/9/19)

Re: 2016 Toyota Prius Vin JTDKDTB32G1138794

EH_____

Docket 8

Tentative Ruling:

Tentative for 11/05/19 is to DENY.

Here, the Movant is adequately protected by a substantial equity cushion of 25%. The Ninth Circuit has held that a 20% equity cushion adequately protects a creditor's security interest. *In re Mellor*, 734 F.2d 1396, 1401 (9th Cir. 1984).

Note: If Movant agrees with the above tentative, no appearance by Movant is required.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Vicente Martinez

Represented By
Paul Y Lee

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

6:19-18053 Vicente Martinez

Chapter 7

#10.00

Paul V. Reza - movant attorney

Motion for relief from Stay

SchoolsFirst Federal Credit Union vs. DEBTOR
(Motion filed 10/10/19)

Re: 2015 Honda Civic SE, Vin 2HGFB6E51FH704032

EH_____

Docket 10

Tentative Ruling:

Tentative for 11/05/19:

GRANT pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Vicente Martinez

Represented By
Paul Y Lee

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

10:00 AM

6:18-19174 Cecil Jerry Edens, Jr

Chapter 7

#11.00

Barrett Daffin Frappier Treder & Weiss, LLP - movant attorney

Motion for Relief from Stay

The Bank of New York Mellon vs. DEBTOR
(Motion filed 12/10/18)

(Cont. from 10/24/19)

Re: 45251 Saint Tisbury Street, Temecula, CA 92592

EH_____

Docket 29

***** VACATED *** REASON: Withdrawal of motion filed 10/18/19 - yg**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cecil Jerry Edens Jr

Represented By
Joseph A West

Movant(s):

The Bank of New York Mellon,

Represented By
Darlene C Vigil

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

11:00 AM

6:17-15053 Professional Flooring Installation Inc.

Chapter 7

#11.10

Hrg. on Trustee's Motion to Estimate Unliquidated Claim No. 3 filed by Jaime Ugarte Pursuant to 11 U.S.C. section 502(c)

EH ____

Docket 83

Tentative Ruling:

Tentative for 11/05/19:

The Court is inclined to GRANT the motion to estimate Claim 3-2 at \$0 pursuant to § 502(c). Section 502(c) allows the Court to estimate contingent or unliquidated claims if the fixing or liquidation of such claims would unduly delay the administration of the bankruptcy estate. *In re Corey*, 892 F.2d 829, 834 (9th Cir. 1989). Courts have wide discretion in estimating claims and can use "whatever method is best suited to the circumstances." *Golden 1 Credit Union v. J. Michael Hopper*, 2016 WL 6427279 (9th Cir. B.A.P. 2016).

It appears that Claimant has failed to diligently pursue its claim in conformance with Federal Bankruptcy Rules. First, both Claim 3-1 and its amendment, Claim 3-2, were filed outside of the claims bar date. Additionally, Claimant failed to properly seek a relief from stay, despite having nearly two years to do so. Further, the Claimant has failed to meet the prerequisite requirements of filing class claims. Specifically, the Claimant has failed to move the Court to consider applying FRBP 7023 to this proceeding. "In prerequisite for allowance of a class proof of claim is that the proponent must seek and obtain a determination of the Bankruptcy Court that Rule 7023 of the Federal Rules of Bankruptcy Procedure be made applicable to the claims process. Until that is done, a class proof of claim is not proper." *In re Aughney*, No. 10-12666, 2011 WL 479010, at *1 (Bankr. N.D. Cal. 2011). Additionally, the Claimant has failed to comply with FRBP 2019. Failure to comply with Rule 2019 is also cause for denial of the proof of

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

11:00 AM

CONT... **Professional Flooring Installation Inc.**
claim. *Reid v. White Motor Corp.*, 886 F.2d 1462, 1471 (6th Cir. 1989).

Chapter 7

Appearances are required.

Party Information

Debtor(s):

Professional Flooring Installation

Represented By
Todd L Turoci

Trustee(s):

Todd A. Frealy (TR)

Represented By
Leonard M Shulman
Brandon J Iskander
Lynda T Bui

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

11:00 AM

6:18-18616 Jose Olegario Torres and Yaely Guadalupe Torres

Chapter 7

#12.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 11/05/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jose Olegario Torres

Represented By
Lionel E Giron

Joint Debtor(s):

Yaely Guadalupe Torres

Represented By
Lionel E Giron

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

11:00 AM

6:18-19385 Ali Hosseinzadeh and Jilla Navah

Chapter 7

#13.00

Hrg. on trustee's final report; applications for compensation

EH _____

Docket 34

Tentative Ruling:

Tentative for 11/05/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ali Hosseinzadeh

Represented By
W. Derek May

Joint Debtor(s):

Jilla Navah

Represented By
W. Derek May

Trustee(s):

Karl T Anderson (TR)

Represented By
Leonard M Shulman
Brandon J Iskander

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

11:00 AM

6:19-11392 Bryan Spencer Robertson and Jennie Melissa Robertson

Chapter 7

#14.00

Hrg. on trustee's final report and applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 11/05/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Bryan Spencer Robertson

Represented By
Daniel King

Joint Debtor(s):

Jennie Melissa Robertson

Represented By
Daniel King

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

11:00 AM

6:19-13373 Benjamin Armando Mireles

Chapter 7

#15.00

Hrg. on United States Trustee's Motion filed 9/30/19 to Dismiss Bankruptcy Case Pursuant to 11 U.S.C. Sections 105, 521, and 707a, Or In the Alternative, Granting An Extension of Time Under 11 U.S.C. Sections 707(b) and 727

EH_____

Docket 25

Tentative Ruling:

Tentative for 11/05/19 is to GRANT the motion to dismiss bankruptcy case pursuant to § 707(a), as the Movant has established "cause" warranting such dismissal.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Benjamin Armando Mireles

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

11:00 AM

6:19-15954 William Horace Eisenhower

Chapter 7

#16.00

Hrg. on U.S. Trustee's Motion filed 10/15/19 for extension of time to file a complaint objecting to discharge and deadline to dismiss bankruptcy case

EH_____

Docket 14

Tentative Ruling:

The Court's tentative for 11/05/19 is to GRANT the Motion as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

William Horace Eisenhower

Represented By
Alon Darvish

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West Inc

Chapter 11

#17.00

Hrg. on Debtor's Motion filed 10/1/19 for Entry of an Order Dismissing the Debtor's Chapter 11 Case and Granting Related Relief

EH_____

Docket 471

Tentative Ruling:

Tentative for 11/05/19 is to GRANT.

Appearances are required.

Party Information

Debtor(s):

Air Force Village West Inc

Represented By
Samuel R Maizel
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

1:30 PM

6:19-11920 Air Force Village West, Inc. d/b/a Altavita Villag

Chapter 11

#18.00

Hrg. on Chapter 11 Status Conference

(Cont. from 10/22/19)

EH_____

Docket 1

Tentative Ruling:

Tentative for 11/05/19:

Appearances are required.

Party Information

Debtor(s):

Air Force Village West, Inc. d/b/a

Represented By
Samuel R Maizel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

1:30 PM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#19.00

Hrg. on Chapter 11 Status Conference

EH_____

(Cont. from 9/3/19)

Docket 0

***** VACATED *** REASON: CONTINUE TO 12/3/19 AT 1:30 PM - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub
Nina Z Javan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

1:30 PM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#19.10

Hrg. on Chapter 11 Trustee's Emergency Motion for Order Converting Case to Chapter 7

EH ____

Docket 189

Tentative Ruling:

Tentative for 11/05/19:

The Court is inclined to GRANT the Motion. The Court notes that this matter was set on shortened notice and any opposition to the Motion may be presented at the hearing.

Appearances are required.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub
Nina Z Javan
James R Selth
Crystle Jane Lindsey

Trustee(s):

Lynda T. Bui (TR)

Represented By
James C Bastian Jr

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

1:30 PM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#19.20

Hrg. on Motion of Chapter 11 Trustee to Reject Certain Unexpired Real Property Leases Pursuant to Rejection Notice Procedures

EH_____

Docket 193

Tentative Ruling:

Tentative for 11/05/19:

The Court is inclined to GRANT the Motion pursuant to §365(a). The Court notes that this matter was set on shortened notice and any opposition to the Motion may be presented at the hearing.

Appearances are required.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub
Nina Z Javan
James R Selth
Crystle Jane Lindsey

Trustee(s):

Lynda T. Bui (TR)

Represented By
James C Bastian Jr

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

1:30 PM

6:19-13800 Cesar Augusto Esquivel

Chapter 7

#20.00

Hrg. on Debtor's Motion filed 7/12/19 to Avoid Lien Property Lien with PACCAR Financial Corp

(Cont. from 10/22/19)

EH ____

Docket 18

***** VACATED *** REASON: Order approving stipulation resolving Debtor's motion to avoid judicial lien entered on 10/31/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cesar Augusto Esquivel

Represented By
George P Hobson Jr

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 5, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#21.00

Hrg. on Debtor's Objection filed 7/25/19 to Claims of Placo San Bernardino, LLC (Proof of Claim No. 203)

(Cont. from 10/22/19)

EH_____

Docket 2872

Tentative Ruling:

Tentative for 11/05/19:

Appearances are required in person in Santa Ana Courtroom 5C.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 6, 2019

Hearing Room 126

10:00 AM

6:19-14575 David Miller and Evonna Miller

Chapter 7

#6.00

Hrg. on approval of Reaffirmation Agreement filed 9/20/19 Between Debtors and Nissan Motor Acceptance Corporation, in the amount of \$8073.83

Re: 2013 Nissan Titan

Docket 16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Miller

Represented By
Alon Darvish

Joint Debtor(s):

Evonna Miller

Represented By
Alon Darvish

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 6, 2019

Hearing Room 126

10:00 AM

6:19-15337 Hector Zapien Cano and Elizabeth Cano

Chapter 7

#7.00

Hrg. on approval of Reaffirmation Agreement filed 9/30/19 Between Debtor and LBS Financial Credit Union, in the amount of \$5992.28

Re: 2011 Honda Pilot

Docket 21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hector Zapien Cano

Represented By
Earl Robertson III

Joint Debtor(s):

Elizabeth Cano

Represented By
Earl Robertson III

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 6, 2019

Hearing Room 126

10:00 AM

6:19-16227 Delfino Orihuela Gonzalez

Chapter 7

#8.00

Hrg on Approval of Reaffirmation Agreement Between Debtor and SchoolsFirst Federal Credit Union in the amount of \$14,943.48

Re: 2015 GMC 1500

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Delfino Orihuela Gonzalez

Represented By
Marlin Branstetter

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 6, 2019

Hearing Room 126

10:00 AM

6:19-16587 Joshua Thomas Arras May

Chapter 7

#9.00

Hrg. on approval of Reaffirmation Agreement Between Debtor and State Farm Bank, FSB, in the amount of \$6171.90

Re: 2008 Subaru Impreza

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joshua Thomas Arras May

Represented By
Barry E Borowitz

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 6, 2019

Hearing Room 126

10:00 AM

6:19-16856 Bradley Orion McCauley

Chapter 7

#10.00

Hrg on Approval of Reaffirmation Agreement Between Debtor and Navy Federal Credit Union in the amount of \$1,115.20

Re: 2013 Kia Rio

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bradley Orion McCauley

Represented By
Daniel King

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 6, 2019

Hearing Room 126

10:00 AM

6:19-17410 Matthew R. Hawthorne

Chapter 7

#11.00

Hrg. on approval of Reaffirmation Agreement filed 10/1/19 Between Debtor and Kia Motors Finance, in the amount of \$3,765.27

Re: 2016 Kia Soul

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Matthew R. Hawthorne

Represented By
James D. Hornbuckle

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 6, 2019

Hearing Room 126

10:00 AM

6:19-17638 Jesus Murillo and Cecilia Antonia Murillo

Chapter 7

#12.00

Hrg. on approval of Reaffirmation Agreement filed 10/8/19 Between Debtors and Kia Motors Finance, in the amount of \$25,380.38

Re: 2017 Kia Sedona

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jesus Murillo

Represented By
Marlin Branstetter

Joint Debtor(s):

Cecilia Antonia Murillo

Represented By
Marlin Branstetter

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 6, 2019

Hearing Room 126

10:00 AM

6:19-17658 Maria Candelaria Rojas

Chapter 7

#13.00

Hrg. on approval Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation, in the amount of \$2953.32

Re: 2014 Toyota Corolla

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria Candelaria Rojas

Pro Se

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 6, 2019

Hearing Room 126

1:30 PM

6:15-14566 Halo Sports Bar and Grill, Inc.

Chapter 7

Adv#: 6:19-01044 Simons (TR) v. County Of San Bernardino et al

#22.00

PRE-TRIAL CONFERENCE re: Complaint by Larry D Simons (TR) against County Of San Bernardino, City of Hesperia - Declaratory judgment, validity, priority or extent of lien or other interest in property

EH_____

Docket 1

Tentative Ruling:

Tentative for 11/06/19:

As of the posting of this tentative, no proposed pretrial stipulation has been filed as required by LBR 7016-1(b). The Court is inclined to sanction both parties \$500.00 for the failure to comply with this rule.

Appearances are required.

Tentative for 5/15/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: August 30, 2019. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: October 16, 2019. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: November 6, 2019 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 6, 2019

Hearing Room 126

1:30 PM

CONT... Halo Sports Bar and Grill, Inc.

Chapter 7

federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Halo Sports Bar and Grill, Inc.

Represented By
Stephen R Wade
W. Derek May

Defendant(s):

County Of San Bernardino

Pro Se

City of Hesperia

Pro Se

Plaintiff(s):

Larry D Simons (TR)

Pro Se

Trustee(s):

Larry D Simons (TR)

Represented By
Alan I Nahmias
Scott H Noskin
Stephen F Biegenzahn

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 6, 2019

Hearing Room 126

1:30 PM

6:17-17601 Deborah McKay

Chapter 7

Adv#: 6:18-01056 Whitmore v. McKay V et al

#23.00

STATUS CONFERENCE re: Complaint by Robert S. Whitmore against Alexander H. McKay V, Alexander H. McKay V as Trustee of the Alexander McKay V Living Trust. (Charge To Estate). (1) Determine that Property is Property of the Bankruptcy Estate; (2) Avoidance of Avoidable Transactions; and (3) To Recover Avoided Transactions Nature of Suit: (14 (Recovery of money/property - other)),(91 (Declaratory judgment))

(Cont. from 8/7/19)

EH_____

Docket 1

***** VACATED *** REASON: Cont. to 2/19/20 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Deborah McKay

Represented By
Natalie A Alvarado

Defendant(s):

Alexander H. McKay V

Pro Se

Alexander H. McKay V as Trustee

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Franklin C Adams

Trustee(s):

Robert Whitmore (TR)

Represented By
Franklin C Adams

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 6, 2019

Hearing Room 126

1:30 PM

CONT... Deborah McKay

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01048 Marshack v. Queen Funding LLC

#1.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For:
(1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
(2) Avoidance Of Fraudulent Transfers Pursuant To 11 U.S.C. Section 548(a)(1)(B);
(3) Avoidance And Recovery Of Fraudulent Transfers Pursuant To 11 U.S.C. Section 544 And California Civil Code Sections 3439.04(a)(2) And 3439.05;
(4) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
(5) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
(6) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
(7) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
(8) Fraud;
(9) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
(10) Declaratory Relief; And
(11) Usury
(Complaint filed 3/20/19)
(Another Summons issued 6/27/19)
(First Amended Complaint filed 9/13/19)

FR: 6/26/19; 9-18-19

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 6, 2019 AT
11:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 9-19-19 (DOCKETL NO. [32])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Defendant(s):

Queen Funding LLC

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01051 Marshack v. Yes Funding Services LLC

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:

- (1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
- (2) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
- (3) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
- (4) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
- (5) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
- (6) Predatory Lending Pursuant To California Business And Professions Code Section 17200;
- (7) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
- (8) Declaratory Relief
(Complaint filed 3/20/19)

FR: 6-26-19; 8-7-19; 9-18-19

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 6, 2019 AT
11:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 10-17-19 (DOCKET NO. [25])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Yes Funding Services LLC

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By

D Edward Hays

David Wood

Kyra E Andrassy

Jeffrey I Golden

Beth Gaschen

Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

10:00 AM

8:18-13145 James L Conkey

Chapter 7

Adv#: 8:18-01212 Saab et al v. Conkey

#3.00

CONT'D Hearing RE: Motion To Dismiss Second Amended Complaint To Determine Dischargeability Of Debt (Motion filed 4/2/19)

FR: 5-15-19

Docket 23

***** VACATED *** REASON: ADVANCED TO SEPTEMBER 18, 2019 AT 11:00 A.M. PER ORDER GRANTING MOTION TO ADVANCE CONTINUED HEARINGS ENTERED 8-15-19 - (DOCKET NO. [39])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James L Conkey

Represented By
Laleh Ensafi

Defendant(s):

James L Conkey

Represented By
Charity J Manee

Plaintiff(s):

Camil Saab

Represented By
Douglas Jaffe

Helou Saab, Inc.

Represented By
Douglas Jaffe

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

10:00 AM

8:18-13145 James L Conkey

Chapter 7

Adv#: 8:18-01212 Saab et al v. Conkey

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt (Complaint filed 12/3/18)

FR: 2-27-19; 5-1-19; 5-15-19

Docket 1

***** VACATED *** REASON: ADVANCED TO SEPTEMBER 18, 2019 AT 11:00 A.M. PER ORDER GRANTING MOTION TO ADVANCE CONTINUED HEARINGS ENTERED 8-15-19 - (DOCKET NO. [39])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James L Conkey

Represented By
Laleh Ensafi

Defendant(s):

James L Conkey

Pro Se

Plaintiff(s):

Camil Saab

Represented By
Douglas Jaffe

Helou Saab, Inc.

Represented By
Douglas Jaffe

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

10:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

Adv#: 8:19-01165 Kassir v. Essayli

#5.00

STATUS CONFERENCE Hearing RE: Complaint For Injunctive Relief Pursuant To 11 U.S.C. Sections 105(a), 362(a), And 542(a)
(Complaint filed 8/7/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO NOVEMBER 6, 2019 AT
11:00 A.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 9-19-19 - (DOCKET NO. [3])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hassan Abbas Kassir	Pro Se
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Defendant(s):

Hassan Essayli	Pro Se
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Plaintiff(s):

Hassan Kassir	Pro Se
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Trustee(s):

Richard A Marshack (TR)	Represented By Donald W Sieveke
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01050 Marshack v. Yellowstone Capital West, LLC

#14.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For:
(1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
(2) Avoidance Of Post-Petition Transfers Pursuant To 11 U.S.C. Section 549(a);
(3) Avoidance Of Fraudulent Transfers Pursuant To 11 U.S.C. Section 548(a)(1)(B)
(4) Avoidance And Recovery Of Fraudulent Transfers Pursuant To 11 U.S.C. Section 544 And California Civil Code Sections 3439.04(a)(2) And 3439.05;
(5) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
(6) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
(7) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
(8) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
(9) Fraud;
(10) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
(11) Declaratory Relief; And
(12) Usury
(Complaint filed 3/20/19)
(First Amended Complaint filed 8/16/19)

FR: 6-26-19; 8-7-19; 9-18-19

Docket 1

Tentative Ruling:

Tentative for 11/06/19:

The Court is inclined to CONTINUE this status conference to March 4, 2020 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are required.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Yellowstone Capital West, LLC

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01050 Marshack v. Yellowstone Capital West, LLC

#14.10

CONT'D Hearing RE: Motion to Dismiss
(Motion filed 9/6/19)

FR: 10-23-19

Docket 28

Tentative Ruling:

Tentative for 11/06/19:

Appearances are required in person in Santa Ana Courtroom 5C.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Yellowstone Capital West, LLC

Represented By
Matthew A Lesnick

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden
Beth Gaschen

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Jeffrey I Golden
Beth Gaschen
Matthew Grimshaw
M Douglas Flahaut

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01176 Marshack, Ch 7 Trustee v. Castanon

#15.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For:

1. Breach Of Fiduciary Duty
 2. Conversion
 3. Negligence
 4. Waste of Corporate Assets
- (Complaint filed 9/14/18)
(PTC set at S/C held 12/19/18)

FR: 12-5-18 AT 10:00 a.m.; 12-5-18; 12-19-18; 7-17-19; 9-18-19

Docket 1

Tentative Ruling:

Tentative for 11/06/19:

The Court notes that both parties have failed to comply with LBR 7016. The Court will excuse the noncompliance in this instance, but the parties are cautioned to follow all applicable rules or risk future sanctions.

The Court is inclined to continue this status conference to January 8, 2020 at 11:00 a.m. A status report is due 14 days prior to the hearing.

Appearances are excused.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Michael E Castanon

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Plaintiff(s):

Richard A Marshack, Ch 7 Trustee

Represented By
Marsha A Houston

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01048 Marshack v. Queen Funding LLC

#16.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For:
(1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
(2) Avoidance Of Fraudulent Transfers Pursuant To 11 U.S.C. Section 548(a)
(1)(B);
(3) Avoidance And Recovery Of Fraudulent Transfers Pursuant To 11 U.S.C.
Section 544 And California Civil Code Sections 3439.04(a)(2) And 3439.05;
(4) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
(5) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
(6) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
(7) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
(8) Fraud;
(9) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
(10) Declaratory Relief; And
(11) Usury
(Complaint filed 3/20/19)
(Another Summons issued 6/27/19)
(First Amended Complaint filed 9/13/19)

FR: 6/26/19; 9-18-19; 11-6-19 at 10:00 a.m.

Docket 1

Tentative Ruling:

Tentative for 11/06/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: March 06, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: April 17, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room

5C

11:00 AM

CONT... **Luminance Recovery Center, LLC**

Chapter 7

3. Pretrial conference: May 27, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Tentative for 6/26/19:

This matter is CONTINUED to September 18, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Queen Funding LLC

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Beth Gaschen
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:19-01051 Marshack v. Yes Funding Services LLC

#16.10

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Avoidance Of Preferential Transfers Pursuant To 11 U.S.C. Section 547;
(2) Recovery Of Property Pursuant To 11 U.S.C. Section 550;
(3) Preservation Of Avoided Transfers Pursuant To 11 U.S.C. Section 551;
(4) Disallowance Of Claims Pursuant To 11 U.S.C. Section 502(d);
(5) Turnover Of Property Of The Estates Pursuant To 11 U.S.C. Section 542;
(6) Predatory Lending Pursuant To California Business And Professions Code Section 17200;
(7) Equitable Subordination Of Claims Pursuant To 11 U.S.C. Section 510(c);
And
(8) Declaratory Relief
(Complaint filed 3/20/19)

FR: 6-26-19; 8-7-19; 9-18-19; 11-6-19 at 10:00 a.m.

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 22, 2020 AT
10:00 A.M. PER ANOTHER SUMMONS ISSUED 10-25-19 - (DOCKET NO.
[28])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Yes Funding Services LLC

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Jeffrey I Golden

Trustee(s):

Richard A Marshack (TR)

Represented By

D Edward Hays

David Wood

Kyra E Andrassy

Jeffrey I Golden

Beth Gaschen

Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#17.00

Hearing RE: Chapter 7 Trustee's Motion For Order Extending The Time For The Chapter 7 Trustee To File A Complaint Pursuant To 11 U.S.C. Section 727 (Motion filed 10/10/19)

Docket 276

Tentative Ruling:

The Court's tentative for 11/06/19 is to GRANT the motion as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

8:19-10093 Hung Nguyen

Chapter 7

Adv#: 8:19-01071 Lee v. Nguyen

#18.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For
Nondischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(2)(A) And
Objection To Entry Of Discharge Of Debtor's Debt Pursuant To 11 U.S.C.
Section 727(a)(4)(A)
(Complaint filed 4/18/19)

FR: 7-17-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER DENYING
MOTION FOR DEFAULT JUDGMENT AND DISMISSING CASE
ENTERED 10-15-19 - (DOCKET NO. [15])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hung Nguyen

Represented By
Alex L Benedict

Defendant(s):

Hung Nguyen

Pro Se

Plaintiff(s):

Benjamin Lee

Represented By
Jason K Boss

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

#19.00

CONT'D Hearing RE: Motion For Order Extending The Deadline To Object To The Debtor's Discharge Pursuant To 11 U.S.C. Sections 523 And 727 And Federal Rule Of Bankruptcy Procedure 4004
(Motion filed 8/12/19)
(Set per Order Entered 9/4/19)

FR: 10-2-19

Docket 30

Tentative Ruling:

The Court's tentative for 11/06/19 is to DENY the Motion, as the Movant did not show adequate cause to warrant an extension.

Appearances are required.

Party Information

Debtor(s):

Hassan Abbas Kassir

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

#19.10

CONT'D Motion for relief from stay [Action In Non-Bankruptcy Forum]

Hassan Essayli vs. DEBTOR
(Motion filed 9/17/19)

**[RE: Case Name: Essayli v. Kassir et al.]
[Case Number: 30-2016-00889773-CU-OR-CJC]
[Pending In: Orange County Superior Court]**

FR: 10-10-19

Docket 44

Tentative Ruling:

The Court's tentative for 11/06/19 is to DENY this motion.

The Debtor's request for injunctive relief is denied, as such relief may not be issued outside of an adversary proceeding.

Appearances are required.

Party Information

Debtor(s):

Hassan Abbas Kassir

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

#19.20

CONT'D Motion for relief from stay [Action In Non-Bankruptcy Forum]

Hassan Essayli vs. DEBTOR
(Motion filed 9/5/19)

**[RE: Case Name: Essayli v. Kassir, et al.]
[Docket Number: 30-2019-09044149-CU-BT-CJC]
[Pending In: Orange County Superior Court]**

FR: 10-10-19

Docket 41

Tentative Ruling:

The Court's tentative for 11/06/19 is to DENY this motion.

The Debtor's request for injunctive relief is denied, as such relief may not be issued outside of an adversary proceeding.

Appearances are required.

Party Information

Debtor(s):

Hassan Abbas Kassir

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

Adv#: 8:19-01165 Kassir v. Essayli

#20.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Injunctive Relief Pursuant To 11 U.S.C. Sections 105(a), 362(a), And 542(a)
(Complaint filed 8/7/19)

FR: 11-6-19 at 10:00 a.m.

Docket 1

Tentative Ruling:

Tentative for 11/06/19:

Appearances are required.

Party Information

Debtor(s):

Hassan Abbas Kassir Pro Se

Defendant(s):

Hassan Essayli Pro Se

Plaintiff(s):

Hassan Kassir Pro Se

Trustee(s):

Richard A Marshack (TR) Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

#21.00

CONT'D Hearing RE: Motion For Order Extending The Deadline To Object To The Debtor's Discharge Pursuant To 11 U.S.C. Sections 523 And 727 And Federal Rule Of Bankruptcy Procedure 4004
(Motion filed 8/12/19)
(Set per Order Entered 9/4/19)

FR: 10-2-19

Docket 30

Tentative Ruling:

The Court's tentative for 11/06/19 is to DENY the Motion, as the Movant did not show adequate cause to warrant an extension.

Appearances are required.

Party Information

Debtor(s):

Sukeinah Hassan Kassir

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 6, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

#21.10

CONT'D Motion for relief from stay [Action In Non-Bankruptcy Forum]

Hassan Essayli vs. DEBTOR
(Motion filed 9/17/19)

**[RE: Case Name: Essayli v. Kassir et al.]
[Case Number: 30-2016-00889773-CU-OR-CJC]
[Pending In: Orange County Superior Court]**

FR: 10-10-19

Docket 41

Tentative Ruling:

The Court's tentative for 11/06/19 is to DENY this motion.

Appearances are required.

Party Information

Debtor(s):

Sukeinah Hassan Kassir

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, November 7, 2019

Hearing Room 126

2:00 PM

6:19-19750 Delta Hospice of California Inc

Chapter 11

#11.00

Hearing Re: Emergency Ex Parte Order To Show Cause Why Patient
Ombudsman Should Not Be Immediately Appointed Pursuant To 11 U.S.C.
Section 333(A)

Docket 0

Tentative Ruling:

Tentative for 11/07/19:

Appearances are required.

Party Information

Debtor(s):

Delta Hospice of California Inc

Represented By
David A Akintimoye

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

10:00 AM

8:19-13340 Mark Kevin Echan and Ilyse Sorelle Kracow

Chapter 7

#1.00

Motion for relief from stay [Real Property]

Wilmington Savings Fund Society, FSB, D/B/A Christiana Trust, Not Individually But As Trustee For Pretium Mortgage Acquisition Trust vs. DEBTORS
(Motion filed 10/15/19)

[RE: 364 Princeton Drive, Costa Mesa, California 92626]

Docket 28

***** VACATED *** REASON: CONTINUED TO DECEMBER 19, 2019
AT 10:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE
HEARING ENTERED 10-25-19 - (DOCKET NO. [31])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mark Kevin Echan

Represented By
Stephen L Burton

Joint Debtor(s):

Ilyse Sorelle Kracow

Represented By
Stephen L Burton

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

10:00 AM

8:19-13837 Eui Suk Ko and Sun Suk Kim

Chapter 7

#1.10

Motion for relief from stay [Real Property]

Bank Of The West vs. DEBTORS
(Motion filed 10/17/19)

[RE: 6368 Mount Ripley Drive, Cypress, CA 90630]

Docket 18

Tentative Ruling:

Tentative for 11/07/19 is to DENY the motion.

The request for relief under § 11 U.S.C. § 362(d)(2) is denied as the Movant failed to show insufficient equity cushion.

Here, the Movant is adequately protected by a substantial equity cushion of 34%. The Ninth Circuit has held that a 20% equity cushion adequately protects a creditor's security interest. *In re Mellor*, 734 F.2d 1396, 1401 (9th Cir. 1984).

Note: If Movant agrees with the above tentative, no appearance by Movant is required.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Eui Suk Ko

Represented By
Young K Chang

Joint Debtor(s):

Sun Suk Kim

Represented By
Young K Chang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

10:00 AM

CONT... Eui Suk Ko and Sun Suk Kim

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

10:00 AM

8:19-13479 Christopher Jay McGregor

Chapter 7

#1.20

Motion for relief from stay [Personal Property]

American Honda Finance Corporation vs. DEBTOR; And Richard A Marshack,
Chapter 7 Trustee
(Motion filed 10/17/19)

[RE: 2018 Honda Civic - VIN: No.: SHHF K7H2 XJU4 01737]

Docket 8

Tentative Ruling:

Tentative for 11/07/19:

GRANT pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Christopher Jay McGregor

Represented By
Roland H Kedikian

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

Adv#: 8:19-01093 TD REO Fund, LLC et al v. Singal et al

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Breach Of Guaranty Contracts;
(2) Breach Of Lease Agreement;
(3) Breach Of Security Instrument
(Complaint filed 5/17/19)

FR: 8-8-19

Docket 1

Tentative Ruling:

Tentative for 11/07/19:

The Court notes that parties have failed to comply with LBR 7016. The Court will excuse the noncompliance in this instance, but the parties are cautioned to follow all applicable rules or risk future sanctions.

The Court is inclined to continue this status conference to January 23, 2020 at 11:00 a.m. A status report is due 14 days prior to the hearing.

Appearances are excused.

Tentative for 8/08/19:

This matter is CONTINUED to November 7, 2019 at 11:00 a.m. A status report (whether joint or unilateral) is due 14 days in advance.

Appearances are excused.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

Defendant(s):

Suneet Singal

Pro Se

First Capital Real Estate

Pro Se

Stephen Howell

Pro Se

Central Valley Gas Stations Atwater

Pro Se

Plaintiff(s):

TD REO Fund, LLC

Represented By

Michael W Davis

TD Opportunity Fund, LLC

Represented By

Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

11:00 AM

8:17-12003 Equity Indexed Managed Fund LLC

Chapter 11

Adv#: 8:19-01086 Equity Indexed Managed Fund, LLC v. Goldschmied et al

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Breach Of
Contract (Promissory Note)
(Complaint filed 5/15/19)

FR: 8-8-19

Docket 1

Tentative Ruling:

Tentative for 11/07/19:

The Court notes that parties have failed to comply with LBR 7016. The Court will excuse the noncompliance in this instance, but the parties are cautioned to follow all applicable rules or risk future sanctions.

The Court is inclined to continue this status conference to January 23, 2020 at 11:00 a.m. A status report is due 14 days prior to the hearing.

Appearances are excused.

Tentative for 8/08/19:

This matter is CONTINUED to November 7, 2019 at 11:00 a.m. A status report (whether joint or unilateral) is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Equity Indexed Managed Fund LLC

Represented By
Lei Lei Wang Ekvall

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

11:00 AM

CONT... Equity Indexed Managed Fund LLC

Chapter 11

Robert S Marticello
Kyra E Andrassy

Defendant(s):

Steven (Steve) Goldschmied	Pro Se
Newport Investments, LLC	Pro Se
Newport Investments, LLC	Pro Se

Plaintiff(s):

Equity Indexed Managed Fund, LLC	Represented By Michael W Davis
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

11:00 AM

8:17-12010 TD REO Fund LLC

Chapter 11

Adv#: 8:19-01088 TD REO Fund LLC v. Sage et al

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Avoid And Recover Fraudulent Transfers
[11 U.S.C. Sections 544, 548(a)(1)(A) And (B), 550(a)(1) And (2) And California Civil Code Section 3439, et seq.]
(Complaint filed 5/15/19)

FR: 8-8-19

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 18, 2019
AT 10:00 A.M. PER ANOTHER SUMMONS ISSUED 9-27-19 - (DOCKET
NO. [25])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

TD REO Fund LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Kyra E Andrassy

Defendant(s):

Loisanne Sage

Pro Se

Loisanne Sage as the trustee of the

Pro Se

Plaintiff(s):

TD REO Fund LLC

Represented By
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

11:00 AM

8:18-14277 Progressive Solutions, Inc.

Chapter 11

#5.00

CONT'D Hearing RE: Confirmation Of First Amended Chapter 11 Plan Dated July 26, 2019
(Plan filed 5/20/19)
(D.S. filed 5/20/19)
(D.S. approved 7/18/19)
(First Amended Plan filed 7/26/19)

FR: 7-18-19; 9-19-19

Docket 76

***** VACATED *** REASON: CONTINUED TO JANUARY 9, 2020 AT
11:00 A.M. PER ORDER APPROVING STIPULATION RE
CONTINUANCE ENTERED 10-22-19 - (DOCKED NO. [117])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Thursday, November 7, 2019

Hearing Room 5C

11:00 AM

8:18-14277 Progressive Solutions, Inc.

Chapter 11

#6.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management
Conference And (2) Requiring Status Report
(Petition filed 11/21/18)

FR: 1-10-19; 6-13-19; 7-18-19; 9-19-19

Docket 1

***** VACATED *** REASON: CONTINUED TO JANUARY 9, 2020 AT
11:00 A.M. PER ORDER APPROVING STIPULATION RE
CONTINUANCE ENTERED 10-22-19 - (DOCKED NO. [117])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#7.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 4/15/19)

FR: 6/13/19; 6-27-19; 8-8-19; 9-4-19; 10-2-19

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 12, 2019
AT 11:00 A.M. PER ORDER GRANTING CONTINUANCE ENTERED 10-21-19 - (DOCKET NO. [100])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#8.00

CONT'D Hearing RE: Motion For Dismissal, Or In The Alternative, Conversion
To Chapter 7
(Motion filed 5/31/19)

FR: 6-27-19; 8-8-19; 9-4-19; 10-2-19

Docket 46

***** VACATED *** REASON: CONTINUED TO DECEMBER 12, 2019
AT 11:00 A.M. PER ORDER GRANTING CONTINUANCE ENTERED 10-
21-19 - (DOCKET NO. [100])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

11:00 AM

8:19-11889 Invensure Insurance Brokers, Inc.

Chapter 11

#9.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 5/16/19)

FR: 7-18-19

Docket 0

Tentative Ruling:

Tentative for 11/07/19 is to CONTINUE this status conference to March 12, 2020 at 11:00 a.m.

Appearances are required.

Party Information

Debtor(s):

Invensure Insurance Brokers, Inc.

Represented By
Carol Chow

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 7, 2019

Hearing Room 5C

11:00 AM

8:19-11889 Invensure Insurance Brokers, Inc.

Chapter 11

#10.00

Hearing RE: Debtor's Motion To Extend Plan Exclusivity
(Motion filed 10/17/19)

Docket 100

Tentative Ruling:

Tentative for 11/07/19:

11 U.S.C. § 1121(e)(3)(A) provides that an exclusivity period for a small business debtor may be extended only if the debtor, after providing notice to parties in interest (including the United States trustee), demonstrates by a preponderance of the evidence that it is more likely than not that the court will confirm a plan within a reasonable period of time. Debtor's counsel should be prepared to draw the Court's attention to the evidence provided which meets that standard.

Appearances are required.

Party Information

Debtor(s):

Invensure Insurance Brokers, Inc.

Represented By
Carol Chow

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 13, 2019

Hearing Room 126

11:00 AM

6:19-13381 Banner Mattress, Inc.

Chapter 7

#1.00

Hrg. on chapter 7 Trustee's Motion filed 11/7/19 For Order: (1) Authorizing Comprehensive Sale Process Relating To Going Out Of Business Sale Under 11 U.S.C. § 721; (2) Approving Traditional Auction Sale Of Substantially All Of The Debtors Assets Free And Clear Of Liens Pursuant To Bankruptcy Code §§ 363(B) And 363(F); (3) Approving Going Out Of Business Sale Employee Bonus Plan; And (4) Granting Related Relief Including Use Of Sale Proceeds To Pay Actual Costs Incurred

Docket 215

Tentative Ruling:

Tentative for 11/13/19:

Appearances are required.

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub
Nina Z Javan
James R Selth
Crystle Jane Lindsey

Trustee(s):

Lynda T. Bui (TR)

Represented By
James C Bastian Jr
Rafael R Garcia-Salgado

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

10:00 AM

6:18-19174 Cecil Jerry Edens, Jr

Chapter 7

#1.00

Sissac Legal Group P.C. - movant attorney

Motion for Relief from Stay

Wollemi Acquisitions, LLC vs. DEBTOR
(Motion filed 10/24/19)

Re: 2016 TOYOTA RAV4 SE Sport Utility 4D

EH_____

Docket 93

Tentative Ruling:

Tentative for 11/19/19:

Grant pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Cecil Jerry Edens Jr

Represented By
Joseph A West

Trustee(s):

John P Pringle (TR)

Represented By
Toan B Chung

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

10:00 AM

6:19-16685 Bernard Gomez and Mandy Gomez

Chapter 7

#2.00

Reid & Hellyer, APC - movant attorney

Motion for Relief from Stay

Brent Alden Borders and Jalena Dawn Borders vs. DEBTORS
(Motion filed 10/24/19)

Re: Litigation in Arizona, CV2017-010376

Docket 15

Tentative Ruling:

Tentative for 11/19/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver. The Movants have established that adequate cause for relief from stay exists, in accordance with the twelve non-exclusive factors set forth in *In re Plumberex Specialty Products, Inc.*, 311 B.R. 551, 559 (Bank. C.D. Cal. 2004).

Appearances are required.

Party Information

Debtor(s):

Bernard Gomez

Represented By
Gary B Elmer

Joint Debtor(s):

Mandy Gomez

Represented By
Gary B Elmer

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

10:00 AM

6:19-17161 Steve William Nolan

Chapter 7

#3.00

Pagter and Perry Isaacson - movant attorney

Motion for Relief from Stay

Greg J. Nolan vs. DEBTOR
(Motion filed 9/5/19)
(Cont. from 10/1/19)

Re: ACTION IN NON-BANKRUPTCY FORUM

EH_____

(Tele. appr. R. Gibson Pagter, Jr., rep. movant, Greg J. Nolan)

Docket 8

Tentative Ruling:

Tentative for 11/19/19:

None listed.

Tentative for 10/01/19 is to CONTINUE the Motion to November 19, 2019, at 10:00 a.m.

In his declaration, Movant states he intends to file a nondischargeability proceeding. As of the date of the posting of this tentative, no such action has been filed.

In addition, after review of the Movant's papers, the Court remains unclear

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

10:00 AM

CONT... Steve William Nolan

Chapter 7

whether cause exists to grant such relief in accordance with the *Curtis factors* established in *In re Plumberex Specialty Products, Inc.* 311 B.R. 551 (2004).

Accordingly, the Court is inclined to CONTINUE this matter until November 19, 2019, at 10:00 a.m. after the deadline for objecting to discharge has passed. Further, by no later than November 5, 2019, Movant should provide supplemental briefing to demonstrate that cause exists to grant the requested relief.

Note: If Movant agrees with the above tentative, no appearance by Movant is required.

Party Information

Debtor(s):

Steve William Nolan

Represented By
Nathan Fransen

Movant(s):

Greg J. Nolan

Represented By
R Gibson Pagter Jr.

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

10:00 AM

6:19-17561 Robert Shahriar Risken Nazari

Chapter 7

#4.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA Inc. vs. DEBTOR, Lynda T. Bui, trustee
(Motion filed 10/9/19)

Re: 2017 Jeep Renegade, VIN: ZACCJAAB6HPE51164

EH_____

(Tele. appr. Jennifer H. Wang, rep. creditor, Santander Consumer USA Inc)

Docket 8

Tentative Ruling:

Tentative for 11/19/19:

Grant pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Robert Shahriar Risken Nazari

Represented By
Robert W Ripley

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

10:00 AM

CONT... Robert Shahriar Risken Nazari

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

10:00 AM

6:19-18294 Erwin Figueroa

Chapter 7

#5.00

Tiffany & Bosco - movant attorney

Motion for Relief from Stay

Bank of America vs. DEBTOR
(Motion filed 10/18/19)

Re: 2017 NISSAN ALTIMA; VIN NO. 1N4AL3APXHC484980

EH_____

Docket 8

Tentative Ruling:

Tentative for 11/19/19:

Grant pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Erwin Figueroa

Represented By
Aaron Lloyd

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

10:00 AM

CONT... Erwin Figueroa

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

10:00 AM

6:19-18426 Bonnie Lou Martin

Chapter 7

#6.00

Tiffany & Bosco - movant attorney

Motion for Relief from Stay

Quicken Loans Inc. vs. DEBTOR
(Motion filed 10/16/19)

Re: 11526 Laguna St, Adelanto, California 92301

EH_____

(Tele. appr. Robert P. Zahradka, rep. movant, Quicken Loans Inc)

Docket 12

Tentative Ruling:

Tentative for 11/19/19:

Grant pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Bonnie Lou Martin

Represented By
Kerrie C Justice

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

10:00 AM

CONT... Bonnie Lou Martin

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

10:00 AM

6:19-17902 Keith Daniel Shaw and Keyra Shaw

Chapter 7

#6.10

Mary Ellmann Tang - movant attorney

Motion for Relief from Stay

Bank of the West vs. DEBTORS
(Motion filed 10/10/19)
(Cont. from 11/5/19)

Re: 2017 Forest River Wildwood Travel Trailer

EH_____

(Tele. appr. Mary E. Tang, rep. creditor, Bank of the West)

Docket 10

Tentative Ruling:

Tentative for 11/19/19:

Grant pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Tentative for 11/05/19 is to DENY the Motion as Movant has failed to properly serve the joint-Debtor pursuant to LBR 4001-1. The Court notes that the petition indicates that the joint-Debtor lives at a different address than the

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

10:00 AM

CONT... Keith Daniel Shaw and Keyra Shaw
Debtor.

Chapter 7

Note: If Movant agrees with the above tentative, no appearance by Movant is required.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Keith Daniel Shaw

Represented By
Brian J Soo-Hoo

Joint Debtor(s):

Keyra Shaw

Represented By
Brian J Soo-Hoo

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

11:00 AM

6:17-19913 Thomas John Forrest

Chapter 7

#7.00

Hrg. on Interim Fee Application for Compensation and Reimbursement of Expenses Incurred by Attorney for Chapter 7 Trustee for Wesley H Avery, Trustee's Attorney, Period: 9/1/2018 to 9/30/2019, Fee: \$86111, Expenses: \$745.65.

EH_____

(Cont. from 10/22/19)

Docket 105

***** VACATED *** REASON: Cont. to 12/3/19 @ 11:00 a.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Thomas John Forrest

Represented By
Michael F Chekian

Trustee(s):

Larry D Simons (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

11:00 AM

6:18-14508 Jesus Michael Rodriguez

Chapter 7

#8.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 11/19/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jesus Michael Rodriguez

Pro Se

Trustee(s):

Karl T Anderson (TR)

Represented By

Robert P Goe

Goe & Forsythe LLP

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

11:00 AM

6:18-19706 Geoffrey Acosta Nagum

Chapter 7

#9.00

Hrg. on chapter 7 trustee's Motion to Sell Property of the Estate Free and Clear of Liens under Section 363(f) Chapter 7 Trustee's Motion for Order (1) Authorizing Sale of Real Property (3443 W. Sunland Avenue, Unit 2, Phoenix, Arizona 85041) Free and Clear of Liens, Claims, and Interests; (2) Confirming Sale to Buyer; (3) Determining That Buyer is a Good Faith Purchaser; (4) Authorizing Withholding and Remittance of Estimated State Income Taxes Arising From Sale; (5) Waiving the Fourteen (14) Day Stay Prescribed by Rule 6004(h) of the Federal Rules of Bankruptcy Procedure; and (6) Approving Bidding Procedures in Connection With Proposed Sale

Docket 31

Tentative Ruling:

Tentative for 11/19/2019 is to GRANT the motion, as the Trustee has met his burden under 11 U.S.C. § 363.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Geoffrey Acosta Nagum

Represented By
James P Doan

Trustee(s):

Larry D Simons (TR)

Represented By
Daniel A Lev

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#10.00

Hrg. on Debtor's Fifth Motion of City of San Bernardino for an Order Extending the Deadlines to: (I) File and Serve Objections to Claims; and (II) Provide ADR Notices to Claimants

Docket 2900

Tentative Ruling:

Tentative for 11/19/19 is to GRANT the motion.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

1:30 PM

6:12-28006 City of San Bernardino, California

Chapter 9

#11.00

Hrg. on Motion of City of San Bernardino for a Fifth Order Extending the Deadline to File Motions to Make Additions to the Schedule of Contracts and Leases to be Assumed

Docket 2902

Tentative Ruling:

Tentative for 11/19/19:

The Court notes that no declaration has been filed in support of the motion. If the Movant files a supporting declaration before 12:00 p.m. on 11/18/19, the Court is inclined to grant the motion and excuse appearances.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

1:30 PM

6:18-12715 Big Bear Bowling Barn, Inc.

Chapter 11

#12.00

Hrg. on Post Confirmation Status Conference

EH_____

(Tele. appr. Kimberly Winick, rep. creditor, Columbia Bank)

Docket 0

Tentative Ruling:

Tentative for 11/19/19:

The Court has received and reviewed Debtor's post confirmation status report filed 10/31/19 [Dk. 210]. Due to the projected date of final decree as November 2019, the Court will CONTINUE this matter to January 9, 2020 at 11:00 a.m. A status report is due 14 days in advance.

Appearances for the 11/19/19 hearing are excused.

Tentative for 7/16/19:

Appearances required.

Tentative for 4/16/19 is to GRANT.

Appearances required.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

1:30 PM

CONT... Big Bear Bowling Barn, Inc.

Chapter 11

Tentative for 3/5/19 is to CONTINUE the hearing on the disclosure statement to April 16, 2019, at 1:30 p.m. to allow Debtor to file an amended plan and disclosure statement that addresses and resolves the issues raised in the objections filed by Creditor Columbia Bank on February 15, 2019 [Dk. 127] and by the UST on February 19, 2019 [Dk. 128].

An amended disclosure statement and plan must be filed by **March 26, 2019**.
Oppositions to the amended disclosure statement are due **April 2, 2019**.
Replies to any opposition are due **April 9, 2019**.

Appearances for the 3/5/19 hearing are excused.

Party Information

Debtor(s):

Big Bear Bowling Barn, Inc.

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

1:30 PM

6:18-16624 Lovejoy's Family Moving., Inc., dba Republic

Chapter 11

#13.00

Hrg. on Chapter 11 Status Conference

EH_____

(Cont. from 6/11/19)

(Tele. appr. Jarrett S. Osborne-Revis, rep. creditor, Fox Capital)

Docket 1

Tentative Ruling:

Tentative for 11/19/19:

This matter is CONTINUED to March 3, 2020 at 1:30 p.m. A status report is due 14 days in advance.

Appearances for the 11/19/19 hearing are excused.

Tentative for 6/11/19:

None listed.

Tentative for 4/16/19:

This matter is CONTINUED to June 11, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

1:30 PM

CONT... Lovejoy's Family Moving., Inc., dba Republic Chapter 11

Tentative for 10/02/18 is to set the following dates/deadlines:

1. Deadline to file a Plan and Disclosure Statement: January 31, 2019.
The failure to timely file a plan and disclosure statement may result in the dismissal or conversion of the case.

2. Continued Status Conference: February 19, 2019 at 1:30 p.m.

Debtor is to submit a scheduling order within seven days.

Appearances required.

Party Information

Debtor(s):

Lovejoy's Family Moving., Inc., dba

Represented By

Bradford G Hughes

Peter W Lianides

Alastair M Gesmundo

Robert E Opera

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

1:30 PM

6:19-13708 SIF Services, LLC

Chapter 11

#14.00

Hrg. on Chapter 11 Status Conference

EH_____

(Cont. from 6/25/19)

Docket 0

***** VACATED *** REASON: Converted to chapter 7 on 9/5/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 19, 2019

Hearing Room 126

1:30 PM

6:19-17085 O'Linn Security Incorporated

Chapter 11

#15.00

Callahan, Thompson Sherman & Caudill, LLP - movant attorney

Motion for Relief from Stay

Emil Pacelli, Richard Fox, James Cuamani and John Eric Samuel vs. DEBTOR
(Motion filed 10/15/19)

Re: ACTION IN NON-BANKRUPTCY FORUM

EH_____

Docket 79

Tentative Ruling:

Tentative for 11/19/19:

The Court is inclined to GRANT this motion, as the balance of the *Curtis* factors establish sufficient cause for relief. *In re Plumberex Specialty Products, Inc.* 311 B.R. 551, 557 (2004).

As to the comfort order sought by Movants, the Court will not grant such an order.

Appearances are required.

Party Information

Debtor(s):

O'Linn Security Incorporated

Represented By
Steven R Fox
W. Sloan Youkstetter

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 20, 2019

Hearing Room 126

1:30 PM

6:15-20279 Mohammad Far

Chapter 7

Adv#: 6:16-01018 O'Laverty et al v. Far et al

#29.00

STATUS CONFERENCE re Complaint by Ames Todd O'Laverty, Cheri O'Laverty, Merilee Sousa against Mohammad Far, Ruth Ann Far (§523(a)(2), § 523(a)(4), §523(a)(6))

(Cont. from 9/4/19)

EH _____

Docket 1

***** VACATED *** REASON: CONTINUED TO 12/4/19 AT 1:30 PM - slh**

Tentative Ruling:

Party Information

Debtor(s):

Mohammad Far

Represented By
Stephen H Darrow

Defendant(s):

Mohammad Far

Represented By
Stephen H Darrow

Ruth Ann Far

Represented By
Stephen H Darrow

Joint Debtor(s):

Ruth Ann Far

Represented By
Stephen H Darrow

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 20, 2019

Hearing Room 126

1:30 PM

CONT... Mohammad Far

Chapter 7

Plaintiff(s):

Ames Todd O'Laverty

Represented By
Ian Landsberg

Cheri O'Laverty

Represented By
Ian Landsberg

Merilee Sousa

Represented By
Ian Landsberg

Trustee(s):

Larry D Simons (TR)

Represented By
Howard M Ehrenberg
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 20, 2019

Hearing Room 126

1:30 PM

6:18-19043 Donald Meredith Dible

Chapter 7

Adv#: 6:19-01018 Simons v. Boshier

#30.00

PRE-TRIAL CONFERENCE re: Complaint by Larry D. Simons against Leslie Ann Boshier (1) Avoidance and Recovery of Fraudulent Transfer (2) Turnover of Property; and (3) Sale of Interest of Co-owner in Property of the Estate

EH _____

Docket 1

***** VACATED *** REASON: Cont. to 4/1/20 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Donald Meredith Dible

Represented By
Stephen H Darrow

Defendant(s):

Leslie Ann Boshier

Pro Se

Plaintiff(s):

Larry D. Simons

Represented By
Anthony A Friedman

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 20, 2019

Hearing Room 126

1:30 PM

6:19-10179 Hector M Araiza, Jr.

Chapter 7

Adv#: 6:19-01041 Barnes et al v. Araiza, Jr.

#31.00

PRE-TRIAL CONFERENCE re: Complaint by Jeffrey Barnes, and Shirley Barnes against, Hector M Araiza Jr. - 523(a)(2), 523(a)(4), 523(a)(6)

EH_____

(Cont. from 5/15/19)

Docket 1

Tentative Ruling:

Tentative for 11/20/19:

The Court notes that Plaintiff has failed to adhere to the requirements of LBR 7016-1. The Court is inclined to set an Order to Show Cause why this adversary proceeding should not be dismissed in light of the Plaintiff's failure to comply with applicable rules.

Appearances are required.

Tentative for 5/15/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: July 31, 2019. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: September 15, 2019. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: November 20, 2019, 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 20, 2019

Hearing Room 126

1:30 PM

CONT... Hector M Araiza, Jr.

Chapter 7

federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Hector M Araiza Jr.

Represented By
W. Derek May

Defendant(s):

Hector M Araiza Jr.

Pro Se

Plaintiff(s):

Jeffrey Barnes

Represented By
Christopher D Hughes

Jeffrey Barnes

Represented By
Christopher D Hughes

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 20, 2019

Hearing Room 126

1:30 PM

6:19-12074 Jason Ortiz

Chapter 7

Adv#: 6:19-01091 Commonwealth Land Title Insurance Company v. Ortiz et al

#32.00

STATUS CONFERENCE Re: Complaint by Commonwealth Land Title Insurance Company against Jason Ortiz, Brianna Ortiz - §§ 523(a)(2), (a)(6)

EH_____

(Cont. from 9/4/19)

Docket 1

*** VACATED *** REASON: Cont. to 12/18/19 @ 1:30 p.m. - jc

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jason Ortiz

Represented By
Natalie A Alvarado

Defendant(s):

Jason Ortiz

Pro Se

Brianna Ortiz

Pro Se

Joint Debtor(s):

Brianna Ortiz

Represented By
Natalie A Alvarado

Plaintiff(s):

Commonwealth Land Title Insurance

Represented By
Karen A Ragland

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 20, 2019

Hearing Room 126

1:30 PM

6:19-14496 Jorge Alberto Blas-Sanchez

Chapter 7

Adv#: 6:19-01119 B. SPRAGG ENTERPRISES LLC v. Blas-Sanchez

#33.00

STATUS CONFERENCE re: Complaint by B. Spragg Enterprises LLC against Jorge Alberto Blas-Sanchez - §§ 523(a)(2), 523(a)(4)

EH_____

Docket 1

Tentative Ruling:

Tentative for 11/20/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: February 20, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: March 19, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: April 15, 2020 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Note: If all parties agree with the foregoing tentative schedule, appearances are waived and Plaintiff shall lodge/serve a scheduling order within seven (7) days consistent with same.

Party Information

Debtor(s):

Jorge Alberto Blas-Sanchez

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 20, 2019

Hearing Room 126

1:30 PM

CONT... Jorge Alberto Blas-Sanchez

Chapter 7

Defendant(s):

Jorge Alberto Blas-Sanchez

Represented By
Richard L. Sturdevant

Joint Debtor(s):

Alicia Espinoza

Represented By
Todd L Turoci

Plaintiff(s):

B. SPRAGG ENTERPRISES LLC

Represented By
Kathy McCormick

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 20, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#34.00

Hrg. on Debtor's Motion filed 9/18/19 for order authorizing Debtor-in-Possession to enter into lease of commercial real property for purposes outside the ordinary course of business pursuant to 11 U.S.C. §363(b)

EH_____

(Cont. from 10/23/19)

Docket 188

Tentative Ruling:

Tentative for 11/20/19:

Appearances are required.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 20, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#35.00

Hrg. on Chapter 11 Status Conference

(Cont. from 10/23/19)

EH_____

Docket 1

Tentative Ruling:

Tentative for 11/20/19:

Appearances are required.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, November 20, 2019

Hearing Room 126

1:30 PM

6:18-17175 Investment Group, LLC

Chapter 11

#36.00

Hrg. on Order to Show Cause Why this case should not be dismissed or converted

EH_____

(Cont. from 10/23/19)

Docket 0

Tentative Ruling:

Tentative for 11/20/19:

Appearances are required.

Party Information

Debtor(s):

Investment Group, LLC

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-12480 Guy S. Griffithe

Chapter 7

#1.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Alaska USA
Federal Credit Union
(Motion filed 10/1/19)
[TA CASE]

**[RE: 2017 Porsche Cayman - Amount: \$46,070.81]
[VIN No.: WP0AA2A88HS270143]**

Docket 76

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Guy S. Griffithe

Represented By
Bert Briones

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-12625 Otilia De Santiago

Chapter 7

#2.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Capital One Auto Finance, A Division Of Capital One, N.A.

(Motion filed 10/15/19)

[CB CASE]

[RE: 2016 Ford Focus Hatchback 5D Electric - Amount: \$\$15,106.54]

[VIN No.: 1FADP3R40GL362347]

CB Case

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Otilia De Santiago

Represented By
Steven A. Alexander

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-12640 Bryan K Wolfe

Chapter 7

#3.00

Hearing RE: Reaffirmation Agreement Between Debtor And Bank Of The West
[Presumption of undue hardship box checked]
(Motion filed 10/1/19)
[ES CASE]

**[RE: 2016 Ford Fusion - Amount: \$15,603.87]
[VIN No.: 3FA6P0H7XGR194771]**

Docket 19

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bryan K Wolfe

Represented By
Parisa Fishback

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-12663 Bambyr Barlahan

Chapter 7

#4.00

CONT'D Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Southland Credit Union
(Motion filed 8/29/19)
[TA CASE]

**[RE: 2016 Honda Pilot - Amount: \$26,026.93]
[VIN No.: 5FNYP5H10GB040876]**

FR: 10-16-19

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bambry Barlahan Pro Se

Trustee(s):

Thomas H Casey (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-12903 Juan V Amezcua Arroyo

Chapter 7

#5.00

Hearing RE: Reaffirmation Agreement Between Debtor And American Honda Finance Corporation
(Motion filed 9/30/19)
[CB CASE]

**[RE: 2018 Honda Accord - Amount: \$10,114.80]
[VIN No.: 1HGCV1F16JA196284]**

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juan V Amezcua Arroyo	Pro Se
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Trustee(s):

Karen S Naylor (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-12938 Axel Antonio Perez Pelico and Veronica Adame

Chapter 7

#6.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Americredit
Financial Services, Inc. dba GM Financial
(Motion filed 9/30/19)
(CB CASE]

**[RE: 2016 Chevrolet Malibu - Amount: \$15,249.62]
[VIN No.: 1G1ZA5ST9GF265895]**

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Axel Antonio Perez Pelico

Represented By
Marlin Branstetter

Joint Debtor(s):

Veronica Adame

Represented By
Marlin Branstetter

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-12938 Axel Antonio Perez Pelico and Veronica Adame

Chapter 7

#6.10

Hearing RE: Reaffirmation Agreement Between Debtor And Ally Bank
(Motion filed 10/24/19)

[CB CASE]

[RE: 2017 Chevrolet Camaro - \$27,323.65]

[VIN No.: 1G1FB1RS5H0171328]

Docket 16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Axel Antonio Perez Pelico

Represented By
Marlin Branstetter

Joint Debtor(s):

Veronica Adame

Represented By
Marlin Branstetter

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-12957 Kathy Reyne Koppie

Chapter 7

#7.00

CONT'D Hearing RE: Reaffirmation Agreement Between Debtor And
Americredit Financial Services, Inc. Dba GM Financial
(Motion filed 9/19/19)
[ES CASE]

**[RE: 2018 Chevrolet Malibu - Amount: \$22,041.33]
[VIN No.: 1G1ZB5ST6JF289432]**

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kathy Reyne Koppie

Represented By
Brian J Soo-Hoo

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-13165 Branden Louis Hill

Chapter 7

#8.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Orange County Credit Union
(Motion filed 10/7/19)

**[RE: 2015 Chrysler 200 - Amount: \$7,153.63]
[VIN No.: 1C3CCCAB5FN581680]**

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Branden Louis Hill	Pro Se
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Trustee(s):

Thomas H Casey (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-13500 Ricardo Alcantara Bernal

Chapter 7

#9.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Toyota
Motor Credit Corporation
(Motion filed 10/10/19)
[ES CASE]

**[RE: 2019 Toyota Corolla - Amount: \$16,732.00]
[VIN No.: 2T1BURHEXKC143080]**

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ricardo Alcantara Bernal	Pro Se
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Trustee(s):

Jeffrey I Golden (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-13515 Ronit Bustillos

Chapter 7

#10.00

Hearing RE: Reaffirmation Agreement Between Debtor And Toyota Motor
Credit Corporation
(Motion filed 10/15/19)
[CB CASE]

**[RE: 2018 Toyota Camry - Amount: \$28,947.60]
[VIN No.: 4T1B11HK6JU520906]**

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ronit Bustillos

Represented By
Sean S Vahdat

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-13637 Zenaida C Hernandez

Chapter 7

#11.00

Hearing RE: Reaffirmation Agreement Between Debtor And Toyota Motor
Credit Corporation
(Motion filed 10/15/19)
[CB CASE]

**[RE: 2015 Toyota Camry - Amount: \$16,101.03
[VIN No.: 5YFBURHE4HP670282]**

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Zenaida C Hernandez

Represented By
Sean S Vahdat

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-13637 Zenaida C Hernandez

Chapter 7

#12.00

Hearing RE: Reaffirmation Agreement Between Debtor And Toyota Motor
Credit Corporation
(Motion filed 10/15/19)
[CB CASE]

**[RE: 2017 Toyota Corolla - Amount: \$23,398.58]
[VIN No.: 5YFBURHE4HP670282]**

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Zenaida C Hernandez

Represented By
Sean S Vahdat

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-13889 Janee Cheree Lynch

Chapter 7

#12.10

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And USAA
Federal Savings Bank
(Motion filed 10/21/19)
[ES CASE]

[RE: 2017 Audi A4 - Amount: \$19,018.27]

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Janee Cheree Lynch	Pro Se
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Trustee(s):

Karen S Naylor (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-12931 Anthony Kim Durbin

Chapter 7

#12.20

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Eagle
Community Credit Union
(Motion filed 10/2/19)

**[RE: 2007 Cadillac Escalade -V8 - Amount: \$12,855.60]
[VIN No.: 1GYFK66817R387484]**

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Anthony Kim Durbin	Pro Se
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Trustee(s):

Thomas H Casey (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-13429 Steve Jin Woo Ahn and Sam Kyung Hi Ahn

Chapter 7

#12.30

Hearing RE: Reaffirmation Agreement Between Debtor And San Diego County
Credit Union
(Motion filed 10/15/19)
[TA CASE]

[RE: 2016 Toyota Tundra - Amount: \$15,536.30]

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Steve Jin Woo Ahn

Represented By
Gregory E Nassar

Joint Debtor(s):

Sam Kyung Hi Ahn

Represented By
Gregory E Nassar

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-12607 Lauren Ashley Riddle and Nathan Lee Riddle

Chapter 7

#12.40

Hearing RE: Reaffirmation Agreement Between Debtor And Fifth Third Bank
(Motion filed 10/15/19)

[TA CASE]

[RE: 2015 Honda Civic - Amount: \$9,771.26]

[VIN No.: 19XFB2F50FE056149]

Docket 17

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lauren Ashley Riddle	Pro Se
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Joint Debtor(s):

Nathan Lee Riddle	Pro Se
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Trustee(s):

Jeffrey I Golden (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-12779 Jordan M. Wright

Chapter 7

#12.50

Hearing RE: Pro se Reaffirmation Agreement Between Debtor And Mechanics Bank
(Motion filed 10/25/19)
[CB CASE]

**[RE: 2013 Honda Civic - \$7,533.44]
[VIN No.: 19XFB2F57DE245152]**

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jordan M. Wright

Represented By
Daniel King

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

9:30 AM

8:19-13316 Megan Michelle Herzing and Adam Alfred Herzing

Chapter 7

#12.60

Hearing RE: Reaffirmation Agreement Between Debtor And BMW Bank Of
North America
(Motion filed 10/24/19)
[ES CASE]

**[RE: 2018 BMW R 1200 RT - Amount: \$22,582.34]
[VIN No.: WB10A1308JZ471208]**

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Megan Michelle Herzing

Represented By
Kevin J Kunde

Joint Debtor(s):

Adam Alfred Herzing

Represented By
Kevin J Kunde

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:18-13588 Tim M McKenna

Chapter 7

Adv#: 8:19-01176 Golden v. Caufield

#13.00

STATUS CONFERENCE Hearing RE: Complaint for Judgment:

- (1) Avoiding Fraudulent Transfer Pursuant To 11 U.S.C. Section 548(a)(1)(A);
 - (2) Avoiding Fraudulent Transfer Pursuant To 11 U.S.C. Section 548(a)(1)(B);
 - (3) Recovery Of Transfer Pursuant To 11 U.S.C. Section 550; And
 - (4) Preserving Transfer Pursuant To 11 U.S.C. Section 551
- (Complaint filed 8/29/19)

Docket 1

***** VACATED *** REASON: CONTINUED TO DECEMBER 4, 2019 AT
11:00 A.M. PER ANOTHER SUMMONS ISSUED 9-10-19 - (DOCKET NO.
[6])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tim M McKenna

Represented By
Michael G Spector

Defendant(s):

Jason Caufield

Pro Se

Plaintiff(s):

Jeffrey I. Golden

Represented By
Reem J Bello

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Ryan W Beall
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#14.00

CONT'D Hearing RE: Objection To The Claims:
(Objection filed 3/4/19)

Claim No. 7 Joanna Lopez \$1,076,304.85

FR: 4-18-19; 8-14-19

Docket 97

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF THE OBJECTION FILED 11-8-19- (DOCKET NO.
[288])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#15.00

CONT'D Hearing RE: Objection To The Claims:
(Objection filed 3/4/19)

Claim No. 6 Maria Arellano \$1,076,304.85

FR: 4-18-19; 8-14-19

Docket 95

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF THE OBJECTION FILED 11-8-19- (DOCKET NO.
[287])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

Adv#: 8:19-01173 Casey v. Arroyo Investment Properties, LLC

#16.00

Hearing RE: Motion By Chapter 7 Trustee To Dismiss Or Strike Defendant's Counterclaim
(Motion filed 10/14/19)

Docket 9

Tentative Ruling:

Tentative for 11/20/19:

Appearances are required.

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Defendant(s):

Arroyo Investment Properties, LLC

Represented By
Donald W Sieveke

Plaintiff(s):

Thomas H. Casey

Represented By
Thomas H Casey

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

Adv#: 8:19-01173 Casey v. Arroyo Investment Properties, LLC

#17.00

STATUS CONFERENCE Hearing RE: Chapter 7 Trustee's Complaint Against Arroyo Investment Properties, LLC For:
(1) Avoidance Of Actual Intent Fraudulent Transfer Under 11 U.S.C. Section 548(a)(1)(A);
(2) Avoidance Of Constructive Fraudulent Transfer Under 11 U.S.C. Section 548(a)(1)(B);
(3) Recovery Of Transfer Per 11 U.S.C. Section 550;
(4) Declaratory Relief; And
(5) Turnover Of Property Of The Estate Pursuant To 11 U.S.C. Section 542
(Complaint filed 8/26/19)
(Counterclaim filed 9/27/19)

Docket 1

Tentative Ruling:

Tentative for 11/20/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: May 1, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: June 5, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: July 15, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

CONT... Brooks T Morgan

Chapter 7

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Defendant(s):

Arroyo Investment Properties, LLC

Pro Se

Plaintiff(s):

Thomas H. Casey

Represented By
Thomas H Casey

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

Adv#: 8:19-01174 Casey v. Morgan

#18.00

STATUS CONFERENCE Hearing RE: Chapter 7 Trustee's Complaint Against Elizabeth Morgan For:

(1) Avoidance Of Actual Intent Fraudulent Transfer Under 11 U.S.C. Section 548(a)(1)(A);

(2) Avoidance Of Constructive Fraudulent Transfer Under 11 U.S.C. Section 548(a)(1)(B);

(3) Recovery Of Transfer Per 11 U.S.C. Section 550;

(4) Declaratory Relief;

(5) Turnover Of Property Of The Estate Pursuant To 11 U.S.C. Section 542;
And

(6) Attorney Fees

(Complaint filed 8/26/19)

Docket 1

Tentative Ruling:

Tentative for 11/20/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: March 6, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: April 3, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: May 13, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

CONT... Brooks T Morgan

Chapter 7

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Defendant(s):

Elizabeth Morgan

Pro Se

Plaintiff(s):

Thomas H. Casey

Represented By
Thomas H Casey

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

Adv#: 8:19-01080 Marshack v. Kassir

#19.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Deny Debtor's Discharge Per 11 U.S.C. Section 727 (Complaint filed 5/6/19) (Another summons issued 6/17/19)

FR: 8-7-19; 9-4-19; 10-2-19

Docket 1

Tentative Ruling:

Tentative for 11/20/19:

The Court notes that parties have failed to comply with LBR 7016. The Court will excuse the noncompliance in this instance, but the parties are cautioned to follow all applicable rules or risk future sanctions.

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: February 27, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: April 2, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: May 13, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room

5C

11:00 AM

CONT... Hassan Abbas Kassir

Chapter 7

Debtor(s):

Hassan Abbas Kassir

Pro Se

Defendant(s):

Hassan Abbas Kassir

Pro Se

Plaintiff(s):

Richard A Marshack

Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

Adv#: 8:19-01080 Marshack v. Kassir

#20.00

CONT'D Hearing RE: Motion To Dismiss Complaint To Deny Debtor's Discharge Per 11 U.S.C. Section 727 For Failure To State A Claim, Or In The Alternative For A More Definite Statement
(Motion filed 7/17/19)

FR: 9-4-19; 10-2-19

Docket 6

Tentative Ruling:

Tentative for 11/20/19 is to DENY the motion to dismiss. Debtor has failed to appropriately serve the motion in accordance with all applicable rules, including LBR 2002-1. Further, the Debtor has not shown that the complaint fails to state a claim or lacks definition, as required by FRCP 12(b) and (e).

To survive a Rule 12(b)(6) motion to dismiss, a plaintiff must allege "enough facts to state a claim to relief that is plausible on its face." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). When pleading fraud, the plaintiff must state "with particularity the circumstances constituting fraud or mistake." Fed. R. Civ. P. 9(b). The Debtor's motion has not shown that the facts alleged in Plaintiff's complaint are implausible or lack particularity.

Debtor's motion attempts to provide a counterargument for each allegation presented in Plaintiff's complaint. As such, the complaint is not so "vague or ambiguous that the party cannot reasonably prepare a response." Fed. R. Civ. P. 12(e).

Appearances are required.

Party Information

Debtor(s):

Hassan Abbas Kassir

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

CONT... Hassan Abbas Kassir

Chapter 7

Defendant(s):

Hassan Abbas Kassir

Pro Se

Plaintiff(s):

Richard A Marshack

Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

Adv#: 8:19-01080 Marshack v. Kassir

#21.00

CONT'D Hearing RE: Motion To Compel Trustee To Recover Debtor's Estate, Payoff All Creditors, And Investigate Creditor Hassan Essayli's Proof Of Disputed Claims
(Motion filed 8/16/19)

FR: 10-2-19

Docket 10

Tentative Ruling:

Tentative for 11/20/19 is to DENY the motion. The Court notes that the motion was not served in accordance with LBR 2002-1. Further, the Debtor has not shown that the Trustee failed to perform his duties to the required standard of care.

In performing his duties, a trustee has a duty to exercise care and diligence that an ordinarily prudent person under similar circumstances would exercise. *In re Cochise Coll. Park, Inc.*, 703 F.2d 1339, 1357 (9th Cir. 1983). As long as their actions fall within that standard of care, the trustee has discretion to decide which claims to prosecute. *Matter of Taxman Clothing Co.*, 49 F.3d 310, 315 (7th Cir. 1995).

Appearances are required.

Party Information

Debtor(s):

Hassan Abbas Kassir

Pro Se

Defendant(s):

Hassan Abbas Kassir

Pro Se

Plaintiff(s):

Richard A Marshack

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

CONT... Hassan Abbas Kassir

Donald W Sieveke

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01081 Marshack v. Kassir

#22.00

CONT'D Hearing RE: Motion To Compel Trustee To Investigate Creditor Hassan Essayli's Proof Of Disputed Debt Claims (Motion filed 8/29/19)

FR: 10-2-19

Docket 12

Tentative Ruling:

Tentative for 11/20/19 is to DENY the motion. The Court notes that the motion was not served in accordance with LBR 2002-1. Further, the Debtor has not shown that the Trustee failed to perform his duties to the required standard of care.

In performing his duties, a trustee has a duty to exercise care and diligence that an ordinarily prudent person under similar circumstances would exercise. *In re Cochise Coll. Park, Inc.*, 703 F.2d 1339, 1357 (9th Cir. 1983). As long as their actions fall within that standard of care, the trustee has discretion to decide which claims to prosecute. *Matter of Taxman Clothing Co.*, 49 F.3d 310, 315 (7th Cir. 1995).

Appearances are required.

Party Information

Debtor(s):

Sukeinah Hassan Kassir

Pro Se

Defendant(s):

Sukeinah Hassan Kassir

Pro Se

Plaintiff(s):

Richard A Marshack

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

CONT... Sukeinah Hassan Kassir

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01081 Marshack v. Kassir

#23.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Deny Debtor's Discharge Per 11 U.S.C. Section 727 (Complaint filed 5/6/19) (Another summons issued 6/17/19)

FR: 8-7-19; 9-4-19; 10-2-19

Docket 1

Tentative Ruling:

Tentative for 11/20/19:

The Court notes that parties have failed to comply with LBR 7016. The Court will excuse the noncompliance in this instance, but the parties are cautioned to follow all applicable rules or risk future sanctions.

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: February 27, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: April 2, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: May 13, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room

5C

11:00 AM

CONT... Sukeinah Hassan Kassir

Chapter 7

Debtor(s):

Sukeinah Hassan Kassir

Pro Se

Defendant(s):

Sukeinah Hassan Kassir

Pro Se

Plaintiff(s):

Richard A Marshack

Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01081 Marshack v. Kassir

#24.00

CONT'D Hearing RE: First Amendment Motion To Dismiss Complaint To Deny Debtor's Discharge Per 11 U.S.C. Section 727 For Failure To State A Claim, Or In The Alternative For A More Definite Statement
(Motion filed 7/17/19)
(First Amendment Motion filed 8/16/19)

FR: 10-2-19

Docket 8

Tentative Ruling:

Tentative for 11/20/19 is to DENY the motion to dismiss. Debtor has failed to appropriately serve the motion in accordance with all applicable rules, including LBR 2002-1. Further, the Debtor has not shown that the complaint fails to state a claim or lacks definition, as required by FRCP 12(b) and (e).

To survive a Rule 12(b)(6) motion to dismiss, a plaintiff must allege "enough facts to state a claim to relief that is plausible on its face." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). When pleading fraud, the plaintiff must state "with particularity the circumstances constituting fraud or mistake." Fed. R. Civ. P. 9(b). The Debtor's motion has not shown that the facts alleged in Plaintiff's complaint are implausible or lack particularity.

Debtor's motion attempts to provide a counterargument for each allegation presented in Plaintiff's complaint. As such, the complaint is not so "vague or ambiguous that the party cannot reasonably prepare a response." Fed. R. Civ. P. 12(e).

Appearances are required.

Party Information

Debtor(s):

Sukeinah Hassan Kassir

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

CONT... Sukeinah Hassan Kassir

Chapter 7

Defendant(s):

Sukeinah Hassan Kassir

Pro Se

Plaintiff(s):

Richard A Marshack

Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01130 Marshack v. Kassir et al

#25.00

CONT'D Hearing RE: Motion To Dismiss Complaint To Avoid Fraudulent Transfers For Failure To State A Claim, Or In The Alternative For A More Definite Statement
(Motion filed 8/12/19)

FR: 9-18-19; 10-2-19

Docket 10

Tentative Ruling:

Tentative for 11/20/19 is to DENY the motion to dismiss. The Court notes that the Debtor has failed to appropriately serve the motion in accordance with all applicable rules, including LBR 2002-1. Further, the Debtor has not shown that the complaint fails to state a claim or lacks definition, as required by FRCP 12(b) and (e).

To survive a Rule 12(b)(6) motion to dismiss, a plaintiff must allege "enough facts to state a claim to relief that is plausible on its face." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). When pleading fraud, the plaintiff must state "with particularity the circumstances constituting fraud or mistake." Fed. R. Civ. P. 9(b). The Debtor's motion has not shown that the facts alleged in Plaintiff's complaint are implausible or lack particularity.

Debtor's motion attempts to provide a counterargument for each allegation presented in Plaintiff's complaint. As such, the complaint is not so "vague or ambiguous that the party cannot reasonably prepare a response." Fed. R. Civ. P. 12(e).

Appearances are required.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

CONT... Sukeinah Hassan Kassir

Chapter 7

Debtor(s):

Sukeinah Hassan Kassir Pro Se

Defendant(s):

Mohammad Mahdi Kassir Pro Se

Mohammad Abbas Kassir Pro Se

Ali Al-Hadi Kassir Pro Se

Sukeinah Kassir Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:19-10349 Sukeinah Hassan Kassir

Chapter 7

Adv#: 8:19-01130 Marshack v. Kassir et al

#26.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Avoid Fraudulent Transfers
(Complaint filed 7/2/19)

FR: 9-18-19; 10-2-19

Docket 1

Tentative Ruling:

Tentative for 11/20/19:

The Court notes that parties have failed to comply with LBR 7016. The Court will excuse the noncompliance in this instance, but the parties are cautioned to follow all applicable rules or risk future sanctions.

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: February 27, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: April 2, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: May 13, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

CONT... Sukeinah Hassan Kassir

Chapter 7

Debtor(s):

Sukeinah Hassan Kassir Pro Se

Defendant(s):

Mohammad Mahdi Kassir Pro Se

Mohammad Abbas Kassir Pro Se

Ali Al-Hadi Kassir Pro Se

Sukeinah Kassir Pro Se

Plaintiff(s):

Richard A Marshack Represented By
Donald W Sieveke

Trustee(s):

Richard A Marshack (TR) Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:19-11334 Tram Anh Phan

Chapter 7

Adv#: 8:19-01151 Murrin v. Phan

#27.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Fraud Dischargeability - 11 U.S.C. Section 523(a)(4);
(2) Fraud Dischargeability - 11 U.S.C. Section 523(a)(12)
(Complaint filed 7/22/19)

FR: 10-23-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
ADVERSARY PROCEEDING AND VACATING STATUS CONFERENCE
ENTERED 11-15-19 - (DOCKET NO. [11])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tram Anh Phan

Represented By
Amid Bahadori

Defendant(s):

Tram A Phan

Pro Se

Plaintiff(s):

Garth Murrin

Pro Se

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:19-11843 Adam Foster

Chapter 7

Adv#: 8:19-01172 Cervantes v. Foster

#28.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(5) And (a)(15) (Complaint filed 8/26/19)

Docket 1

Tentative Ruling:

Tentative for 11/20/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: February 20, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: April 2, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: May 13, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Note: If all parties agree with the foregoing tentative schedule, appearances are waived and Plaintiff shall lodge/serve a scheduling order within seven (7) days consistent with same.

Party Information

Debtor(s):

Adam Foster

Represented By
Amanda G Billyard

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

CONT... Adam Foster

Chapter 7

Defendant(s):

Adam Thomas Foster

Pro Se

Plaintiff(s):

Trina C. Cervantes

Represented By
Natali A Ron

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, November 20, 2019

Hearing Room 5C

11:00 AM

8:17-12887 Dana Kim Shelton

Chapter 7

#28.10

Hearing RE: Motion For An Order To Show Cause To Hold In Contempt Of Discharge Injunction: (1) Sharon Deon Sims, (2) Daniel Keith Larson and (3) Erin Ellen Larson; Compensatory Damages, Attorneys Fees And Costs As Sanctions For Violating The Discharge Injunction (Motion 10/29/19)

Docket 189

Tentative Ruling:

Tentative for 11/20/19:

The Court will CONTINUE this matter to December 18, 2019 at 11:00 a.m. as the Movant has failed to properly serve all parties pursuant to LBR 9013-1 and 9013-3.

Accordingly, no hearing will be held on 11/20/19 and appearances are excused.

Party Information

Debtor(s):

Dana Kim Shelton

Represented By
Christopher P Walker

Trustee(s):

Richard A Marshack (TR)

Represented By
Misty A Perry Isaacson

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 21, 2019

Hearing Room 5C

10:00 AM

8:19-13233 Ronald L. Peggs

Chapter 7

#1.00

Motion for relief from stay [Personal Property]

VW Credit, Inc. vs. DEBTOR
(Motion filed 10/10/19)

[RE: 2016 Volkswagen Jetta Sedan - VIN No.: 3VW267AJ8GM363089]

Docket 9

Tentative Ruling:

Tentative for 11/21/19:

Grant pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ronald L. Peggs

Represented By
Christine A Kingston

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 21, 2019

Hearing Room

5C

10:00 AM

8:19-13476 Michael Padilla Samson

Chapter 7

#2.00

CONT'D Motion for relief from stay [Personal Property]

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 9/26/19)

[RE: 2015 Lexus CT200H]

FR: 10-24-19

Docket 8

Tentative Ruling:

Tentative for 11/21/19:

Grant pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) with a 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and the Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Michael Padilla Samson

Represented By
Glenn Ward Calsada

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 21, 2019

Hearing Room 5C

11:00 AM

8:19-13930 Jonathan James Lagman and Samantha Page Lagman

Chapter 11

#3.00

STATUS CONFERENCE Hearing RE: (1) Case Management Conference And
(2) Requiring Status Report
(Petition filed 10/7/19)

Docket 7

Tentative Ruling:

Tentative for 11/21/19 is to CONTINUE this status conference to February 12, 2020. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Jonathan James Lagman

Represented By
Michael Jones

Joint Debtor(s):

Samantha Page Lagman

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 21, 2019

Hearing Room 5C

11:00 AM

8:19-13728 Thompson National Properties, LLC

Chapter 11

#4.00

STATUS CONFERENCE Hearing RE: (1) Case Management Conference And
(2) Requiring Status Report
(Petition filed 9/26/19)
:

Docket 0

Tentative Ruling:

Tentative for 11/21/19 is to CONTINUE this status conference to January 9, 2020. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Thompson National Properties, LLC

Represented By
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 21, 2019

Hearing Room 5C

11:00 AM

8:18-14277 Progressive Solutions, Inc.

Chapter 11

#5.00

Hearing RE: Application For Payment Of Interim Fees And/Or Expenses For The Period From June 12, 2019 Through September 20, 2019 (Motion filed 10/31/19)

**[RE: LAW OFFICES OF PAUL KLEVEN - Special Counsel For Debtor]
[Fees: \$15,180; Expenses: \$774.63]**

Docket 120

Tentative Ruling:

Tentative for 11/21/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, November 21, 2019

Hearing Room 5C

11:00 AM

8:18-14277 Progressive Solutions, Inc.

Chapter 11

#6.00

Hearing RE: Application For Payment For Interim Fees And/Or Expenses For The Period From June 1, 2019 Through October 31, 2019
(Motion filed 10/31/19)

**[RE: LEWIS R. LANDAU - Attorney For Debtor And Debtor-In-Possession]
[Fees: \$43,807.50; Expenses: \$1,101.55]**

Docket 119

Tentative Ruling:

Tentative for 11/21/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Progressive Solutions, Inc.

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

10:00 AM

6:19-16690 Nathaniel Andrew Miranda

Chapter 7

#1.00

Bonial & Associates, P.C. - movant attorney

Motion for Relief from Stay

VW Credit, Inc. vs. DEBTOR
(Motion filed 10/24/19)

Re: 2017 VOLKSWAGEN GTI

EH_____

Docket 12

Tentative Ruling:

Tentative for 12/03/19:

Grant pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Nathaniel Andrew Miranda

Represented By
Shawn Anthony Doan

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

10:00 AM

6:19-17900 Jessica Alejandra Medina

Chapter 7

#2.00

Aldridge Pite, LLP - movant attorney

Motion for Relief from Stay

JPMorgan Chase Bank, N.A. vs. DEBTOR
(Motion filed 11/1/19)

RE: 2017 Honda Accord VIN No.1HGCR2F50HA129400

EH _____

Docket 18

Tentative Ruling:

Tentative for 12/03/19:

Grant pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Jessica Alejandra Medina

Represented By
Neelamjeet K Kahlon-Pfister

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

10:00 AM

6:19-18131 Teresa Cisneros

Chapter 7

#3.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA Inc vs DEBTOR, Charles W. Daff, TRUSTEE
(Motion filed 11/1/19)

RE: 2017 HONDA CR-V VIN 7FARW5H34HE011523

EH ____

Docket 8

Tentative Ruling:

Tentative for 12/03/19:

Grant pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Teresa Cisneros

Represented By
Keith Q Nguyen

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

10:00 AM

6:19-18269 Brittney Peterson and Natalie Peterson

Chapter 7

#4.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

ACAR Leasing LTD vs. DEBTORS, Robert Whitmore, trustee
(Motion filed 11/6/19)

Re: 2017 CHEVROLET TRAVERSE, VIN 1GNKRGKD7HJ349483

EH_____

Docket 9

Tentative Ruling:

Tentative for 12/03/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Brittney Peterson

Represented By
Christopher Hewitt

Joint Debtor(s):

Natalie Peterson

Represented By
Christopher Hewitt

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

10:00 AM

CONT... Brittney Peterson and Natalie Peterson

Chapter 7

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

10:00 AM

6:19-19565 Evangelina Lopez

Chapter 7

#5.00

Prenovost, Normandin, Bergh & Dawe - movant attorney

Motion for Relief from Stay

Yamaha Motor Finance Corp. vs. DEBTOR
(Motion filed 11/6/19)

Re: 2017 Yamaha YFM70RSBH0

EH_____

Docket 11

Tentative Ruling:

Tentative for 12/03/19:

Grant pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Evangelina Lopez

Represented By
Christopher Hewitt

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

10:00 AM

6:19-20023 Marina Campos

Chapter 7

#5.10

Law Offices of Edward T. Weber - movant attorney

Motion for Relief from Stay

Pelican Holdings, LLC a California Limited Liability Company vs. DEBTORS
(Motion filed 11/20/19)

Re: APN: 906-270-050-1, Murrieta, CA 92562

EH_____

Docket 9

Tentative Ruling:

Tentative for 12/03/19:

Grant pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(4) with 4001(a)(3) waiver.

"To obtain relief under §362(d)(4), the court must find three elements to be present. First, debtor's bankruptcy filing must have been part of a scheme. Second, the object of the scheme must be to delay, hinder, or defraud creditors. Third, the scheme must involve either (a) the transfer of some interest in the real property without the secured creditor's consent or court approval, or (b) multiple bankruptcy filings affecting the property. For the court to grant relief under §362(d)(4), and thus trigger two years of prospective relief as to the subject real property, it must affirmatively find that the three elements above are present." *In re First Yorkshire Holdings, Inc.*, 470 B.R. 864, 870-71 (B.A.P. 9th Cir. 2012). Here, Movant has submitted evidence to satisfy this burden.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

10:00 AM

CONT... Marina Campos

Chapter 7

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Marina Campos

Pro Se

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

11:00 AM

6:17-13020 Johnie Eugene Davis

Chapter 7

#6.00

Hrg on Trustee's Final Report and Applications for Compensation

EH ____

Docket 53

Tentative Ruling:

Tentative for 12/03/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Johnie Eugene Davis

Pro Se

Trustee(s):

Howard B Grobstein (TR)

Represented By
David M Goodrich
Sulmeyer Kupetz
Claire K Wu

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

11:00 AM

6:17-19913 Thomas John Forrest

Chapter 7

#7.00

Hrg. on Interim Fee Application for Compensation and Reimbursement of Expenses Incurred by Attorney for Chapter 7 Trustee for Wesley H Avery, Trustee's Attorney, Period: 9/1/2018 to 9/30/2019, Fee: \$86111, Expenses: \$745.65.

EH_____

(Cont. from 11/19/19)

Docket 105

***** VACATED *** REASON: Order approving stipulation entered on 11/27/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Thomas John Forrest

Represented By
Michael F Chekian

Trustee(s):

Larry D Simons (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

11:00 AM

6:18-19809 Luis Armin Rizo Gaytan and Patricia Isabel Escoto

Chapter 7

#8.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 27

Tentative Ruling:

Tentative for 12/03/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Luis Armin Rizo Gaytan

Represented By
Daniel King

Joint Debtor(s):

Patricia Isabel Escoto

Represented By
Daniel King

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 225 Calendar**

Tuesday, December 3, 2019

Hearing Room 225

11:00 AM

6:18-20262 Ricardo A Saravia and Rosa Mirna Saravia

Chapter 7

#9.00

Hrg. on trustee's final report; applications for compensation

EH_____

Docket 29

Tentative Ruling:

Tentative for 12/03/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ricardo A Saravia

Represented By
Daniel King

Joint Debtor(s):

Rosa Mirna Saravia

Represented By
Daniel King

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

11:00 AM

6:18-20348 Erick Govanny Parra

Chapter 7

#10.00

Hrg. on Trustee's Final Report and Applications for Compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 12/03/19 is to approve as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Erick Govanny Parra

Represented By
Robert L Firth

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

11:00 AM

6:19-16643 Ruben Martin Pichilingue

Chapter 7

#11.00

Hrg. on chapter 7 trustee's Motion for extension of time to file a complaint

Docket 12

Tentative Ruling:

The Court will GRANT this motion.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ruben Martin Pichilingue

Represented By
Richard L Barnett

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

1:30 PM

6:19-13381 Banner Mattress, Inc.

Chapter 11

#12.00

Hrg. on Chapter 11 Status Conference

EH_____

(Cont. from 11/5/19)

Docket 0

***** VACATED *** REASON: CASE CONVERTED TO CH 7 ON 11/6/19 -
slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub
Nina Z Javan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

1:30 PM

6:19-19750 Delta Hospice of California Inc

Chapter 11

#13.00

Hrg. on Debtor's motion filed 11/6/19 (1) Prohibiting utilities service providers from altering, refusing or discontinuing services to, or discriminating against the Debtor, (2) Providing that a single deposit for all Debtor's utilities shall constitute "adequate assurance" of future payment

Docket 4

Tentative Ruling:

Tentative for 12/03/19:

Appearances are required.

Party Information

Debtor(s):

Delta Hospice of California Inc

Represented By
David A Akintimoye

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

1:30 PM

6:19-19750 Delta Hospice of California Inc

Chapter 11

#14.00

Hrg. on Debtor's Motion filed 11/6/19 Authorizing Debtor-in-Possession to (1) Pay prepetition payroll; (2) Honor prepetition employment procedures; and (3) continue paying taxes [LBR 2081-1(a)(6)]

Docket 5

Tentative Ruling:

Tentative for 12/03/19:

Appearances are required.

Party Information

Debtor(s):

Delta Hospice of California Inc

Represented By
David A Akintimoye

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

1:30 PM

6:19-17085 O'Linn Security Incorporated

Chapter 11

#15.00

Hrg. on Ex Parte Second Motion filed 11/22/19 for an Order Limiting Scope of Notice

EH_____

Docket 0

Tentative Ruling:

Tentative for 12/03/19:

The Court has set this matter for hearing in order to allow all parties to weigh in. Any opposition to the motion may be made at the hearing.

Appearances are required.

Party Information

Debtor(s):

O'Linn Security Incorporated

Represented By
Steven R Fox
W. Sloan Youkstetter

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 3, 2019

Hearing Room 126

1:30 PM

6:19-17085 O'Linn Security Incorporated

Chapter 11

#16.00

Hrg. on Ex Parte Motion filed 11/19/19 for Authority to Seal Names of Certain Creditors

EH_____

Docket 0

Tentative Ruling:

Tentative for 12/03/19:

The Court has set this matter for hearing in order to allow all parties to weigh in. Any opposition to the motion may be made at the hearing.

Appearances are required.

Party Information

Debtor(s):

O'Linn Security Incorporated

Represented By
Steven R Fox
W. Sloan Youkstetter

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 4, 2019

Hearing Room 126

10:00 AM

6:19-18040 Chanel Antoinette LaCroix

Chapter 7

#1.00

Hrg. on approval of Reaffirmation Agreement filed 11/12/19 Between Debtor and American Honda Finance Corporation, in the amount of \$ 31,020.91

Re: 2019 Honda Accord

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chanel Antoinette LaCroix

Pro Se

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 4, 2019

Hearing Room 126

1:30 PM

6:15-20279 Mohammad Far

Chapter 7

Adv#: 6:16-01018 O'Laverty et al v. Far et al

#6.00

Hrg. on Plaintiffs' Motion For Summary Judgment on Claims under U.S.C. §§ 523(a)(2)(A) and (a)(6), or, in the alternative, for an adjudication of undisputed facts of Melinda Olaverty, Merille Sousa and Cheri Olaverty, substituted as Plaintiffs in place of named plaintiff Ames Todd Olaverty, deceased

Docket 64

Tentative Ruling:

Tentative for 12/04/19:

Appearances are required.

Party Information

Debtor(s):

Mohammad Far

Represented By
Stephen H Darrow

Defendant(s):

Mohammad Far

Represented By
Stephen H Darrow

Ruth Ann Far

Represented By
Stephen H Darrow

Joint Debtor(s):

Ruth Ann Far

Represented By
Stephen H Darrow

Plaintiff(s):

Ames Todd O'Laverty

Represented By
Ian Landsberg

Cheri O'Laverty

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 4, 2019

Hearing Room 126

1:30 PM

CONT...

Mohammad Far

Chapter 7

Merilee Sousa

Ian Landsberg

Represented By
Ian Landsberg

Trustee(s):

Larry D Simons (TR)

Represented By
Howard M Ehrenberg
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 4, 2019

Hearing Room 126

1:30 PM

6:15-20279 Mohammad Far

Chapter 7

Adv#: 6:16-01018 O'Laverty et al v. Far et al

#7.00

STATUS CONFERENCE re Complaint by Ames Todd O'Laverty, Cheri O'Laverty, Merilee Sousa against Mohammad Far, Ruth Ann Far (§523(a)(2), § 523(a)(4), §523(a)(6))

(Cont. from 11/20/19)

EH _____

Docket 1

Tentative Ruling:

Tentative for 12/04/19:

Appearances are required.

Party Information

Debtor(s):

Mohammad Far

Represented By
Stephen H Darrow

Defendant(s):

Mohammad Far

Represented By
Stephen H Darrow

Ruth Ann Far

Represented By
Stephen H Darrow

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 4, 2019

Hearing Room 126

1:30 PM

CONT... Mohammad Far

Chapter 7

Joint Debtor(s):

Ruth Ann Far

Represented By
Stephen H Darrow

Plaintiff(s):

Ames Todd O'Laverty

Represented By
Ian Landsberg

Cheri O'Laverty

Represented By
Ian Landsberg

Merilee Sousa

Represented By
Ian Landsberg

Trustee(s):

Larry D Simons (TR)

Represented By
Howard M Ehrenberg
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 4, 2019

Hearing Room 126

1:30 PM

6:16-13798 DESERT RANCH LLLP

Chapter 7

Adv#: 6:18-01088 Frazer v. 395 Lampe, LLC

#8.00

PRETRIAL CONFERENCE re: Complaint by Helen R Frazer against 395 Lampe, LLC for: 1. Violation of the Automatic Stay [11 U.S.C. Section 362(A)(1), 362(A)(3) and 362(K)]; 2. Temporary Restraining Order and Preliminary Injunction; 3. Breach of Fiduciary Duty; and 4. Declaratory Relief

EH_____

(Cont. from 10/16/19)

(Tele. appr. Brandon Iskander, rep. trustee, Larry D. Simons)

Docket 1

***** VACATED *** REASON: CONTINUED TO 3/18/2020 AT 1:30 PM - slh**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

DESERT RANCH LLLP

Represented By
Jenny L Doling
Summer M Shaw

Defendant(s):

395 Lampe, LLC

Pro Se

Plaintiff(s):

Helen R Frazer

Represented By
Laurel R Zaeske

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 4, 2019

Hearing Room 126

1:30 PM

CONT... DESERT RANCH LLLP

Chapter 7

Trustee(s):

Helen R. Frazer (TR)

Represented By
Laurel R Zaeske

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 4, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania

Chapter 7

Adv#: 6:19-01125 Simons v. Mulvania

#9.00

STATUS CONFERENCE re: Complaint by Larry D. Simons against Joshua Mulvania. (Charge To Estate) (\$350.00). for: 1) Avoidance Of Intentional Fraudulent Transfers And Recovery Of Same [11 U.S.C. §§ 544, 548, 550; Cal. Civ. Code §§ 3439.04, 3439.07]; 2) Avoidance Of Constructive Fraudulent Transfers And Recovery Of Same [11 U.S.C. §§ 544, 548, 550; Cal. Civ. Code §§3439.04, 3439.05, 3439.07]; 3) Preservation Of Avoided Transfers [11 U.S.C. § 551]; 4) Disallowance Of Claims [11 U.S.C. § 502(d)]; 5) Unjust Enrichment [11 U.S.C. § 105]; and 6) Turnover Of Property Of The Estate [11 U.S.C. § 542] Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)),(11 (Recovery of money/property - 542 turnover of property)),(91 (Declaratory judgment))

EH_____

[Tele. appr., Brandon Iskander, repr., Larry D. Simons, Trustee]

Docket 1

Tentative Ruling:

Tentative for 12/04/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: April 16, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: May 14, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: June 24, 2020 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 4, 2019

Hearing Room 126

1:30 PM

CONT... **Christopher John Mulvania**

Chapter 7

and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Joshua Mulvania

Pro Se

Plaintiff(s):

Larry D. Simons

Represented By
Brandon J Iskander

Trustee(s):

Larry D Simons (TR)

Represented By
Lynda T Bui
Brandon J Iskander

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 4, 2019

Hearing Room 126

1:30 PM

6:18-15684 Christopher John Mulvania

Chapter 7

Adv#: 6:18-01201 Turoci v. Mulvania

#10.00

STATUS CONFERENCE Re: Complaint by Todd Turoci against Christopher John Mulvania - §523(a)(2)(A), (B), §727(c),(d),(e)

(Cont. from 10/23/19)

EH_____

Docket 1

***** VACATED *** REASON: Cont. to 2/19/20 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christopher John Mulvania

Represented By
Bryant C MacDonald

Defendant(s):

Christopher John Mulvania

Pro Se

Plaintiff(s):

Todd Turoci

Represented By
Todd L Turoci

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 4, 2019

Hearing Room 126

1:30 PM

6:18-18200 John Obrien

Chapter 7

Adv#: 6:19-01086 United States Trustee for the Central District of v. Obrien et al

#11.00

STATUS CONFERENCE re: Complaint by United States Trustee for the Central District of California, Region 16 against John Obrien, Tracy Obrien - 727(c),(d),(e)

(Cont. from 9/4/19)

EH_____

Docket 1

Tentative Ruling:

Tentative for 12/04/19:

This matter is CONTINUED to December 18, 2019 at 1:30 p.m. A status report is not required.

Appearances are excused.

Party Information

Debtor(s):

John Obrien

Represented By
Christopher J Murtagh

Defendant(s):

John Obrien

Pro Se

Tracy Obrien

Pro Se

Joint Debtor(s):

Tracy Obrien

Represented By
Christopher J Murtagh

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 4, 2019

Hearing Room 126

1:30 PM

CONT... John O'Brien

Chapter 7

Plaintiff(s):

United States Trustee for the Central

Represented By
Everett L Green

Trustee(s):

Todd A. Frealy (TR)

Represented By
Christopher J Murtagh
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 4, 2019

Hearing Room 5C

11:00 AM

8:18-13588 Tim M McKenna

Chapter 7

Adv#: 8:19-01176 Golden v. Caufield

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint for Judgment:

- (1) Avoiding Fraudulent Transfer Pursuant To 11 U.S.C. Section 548(a)(1)(A);
 - (2) Avoiding Fraudulent Transfer Pursuant To 11 U.S.C. Section 548(a)(1)(B);
 - (3) Recovery Of Transfer Pursuant To 11 U.S.C. Section 550; And
 - (4) Preserving Transfer Pursuant To 11 U.S.C. Section 551
- (Complaint filed 8/29/19)
(Another Summons issued 9/10/19)

FR: 11-19-19

[Tele. appr., Reem J. Bello, repr., Attorneys For Trustee, Jeffrey Golden]

[Tele. appr., Tyler H. Brown, repr., Jason Caufield]

[Tele. appr., Noreen Madoyan, repr., Howard Grobstein, Trustee]

Docket 1

Tentative Ruling:

Tentative for 12/04/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: March 4, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: April 15, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: May 27, 2020 at 10:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 4, 2019

Hearing Room

5C

11:00 AM

CONT... Tim M McKenna

Chapter 7

and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Tim M McKenna

Represented By
Michael G Spector

Defendant(s):

Jason Caufield

Pro Se

Plaintiff(s):

Jeffrey I. Golden

Represented By
Reem J Bello

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Ryan W Beall
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 4, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

Adv#: 8:19-01002 Morgan v. Lopez et al

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Preliminary And Permanent Injunction Barring Creditors From Taking Action
Against State Court Codefendants Pursuant To 11 U.S.C. Section 105; And
(2) To Avoid Transfer Of An Interest In Real Property;
Verification Of Brooks T Morgan
(Complaint filed 1/3/19)

FR: 3-21-19; 5-2-19; 9-18-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR; ORDER APROVING
STIPULATION FOR DISMISSAL OF ADVERSARY PROCEEDING AND
TAKING THE STATUS CONFERENCE OFF CALENDAR ENTERED 11-
19-19 (Doc. no. [23])**

Tentative Ruling:

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Defendant(s):

Joanna N Lopez

Pro Se

Maria Arellano

Pro Se

Plaintiff(s):

Brooks T Morgan

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 4, 2019

Hearing Room 5C

11:00 AM

8:19-11814 Juan Arcos Munoz

Chapter 7

Adv#: 8:19-01170 State Compensation Insurance Fund v. Munoz

#4.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt Under 11 U.S.C. Section523(a)(2)
(Complaint filed 8/19/19)

[Tele. appr., Onyinye N. Anyama, repr., Juan Arcos Munoz]

[Tele. appr., Rhett R. Johnson, repr., State Compensation Insurance Fund]

Docket 1

Tentative Ruling:

Tentative for 12/04/19:

The Court notes that the parties filed a late joint status report. The Court will excuse the noncompliance in this instance, but the parties are cautioned to follow all applicable rules or risk future sanctions.

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: March 4, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: April 15, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: May 27, 2020 at 10:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 4, 2019

Hearing Room 5C

11:00 AM

CONT... Juan Arcos Munoz

Chapter 7

Party Information

Debtor(s):

Juan Arcos Munoz

Represented By
Onyinye N Anyama

Defendant(s):

Juan Arcos Munoz

Pro Se

Plaintiff(s):

State Compensation Insurance Fund

Represented By
Rhett Johnson

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 4, 2019

Hearing Room 5C

11:00 AM

8:19-13517 Peter Sanchez

Chapter 7

#5.00

Hearing RE: Motion By United States Trustee To Determine Whether Compensation Paid To Counsel Was Excessive Under 11 U.S.C. Section 329 And F.R.B.P., Rule 2017 (Motion filed 11/2/19)

Docket 7

Tentative Ruling:

Tentative for 12/04/19:

The Court is inclined to GRANT the motion and order Ameet Gandhi of the Law Office of Ameet Gandhi ("Debtor's Counsel") to return \$700 of the fee charged back to the Debtor.

The Court notes that Debtor's Counsel failed to attend the initial § 341(a) meeting pursuant to LBR 2090-1(a)(3). The Ninth Circuit BAP has held that it is appropriate for bankruptcy court to reduce fees when debtor's counsel fails to "...provide competent and complete representation..." *In re Basham*, 208 B.R. 926, 933 (9th Cir. BAP 1997).

Appearances are required.

Party Information

Debtor(s):

Peter Sanchez

Represented By
Ameet Gandhi

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 4, 2019

Hearing Room 5C

11:00 AM

8:19-10347 Hassan Abbas Kassir

Chapter 7

#6.00

Hearing RE: Motion For Order Authorizing Production Of Documents From Bank Of America Pursuant To Federal Rule Of Bankruptcy Procedure 2004 (Motion filed 10/4/19)
(Set per Notice of Hearing filed 11/14/19)

Docket 51

***** VACATED *** REASON: OFF CALENDAR - ORDER DENYING
MOTION ENTERED 11-22-19 - (DOCKET NO. [93])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hassan Abbas Kassir

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
Donald W Sieveke

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 5, 2019

Hearing Room 5C

10:00 AM

8:19-13837 Eui Suk Ko and Sun Suk Kim

Chapter 7

#1.00

CONT'D Motion for relief from stay [Real Property]

Bank Of The West vs. DEBTORS
(Motion filed 10/17/19)
(Second Amended Motion filed 11/13/19)

[RE: 6368 Mount Ripley Drive, Cypress, CA 90630]

FR: 11-7-19

Docket 23

Tentative Ruling:

Tentative for 12/05/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

The request for relief under § 11 U.S.C. § 362(d)(2) is denied, as the Movant is adequately protected by a substantial equity cushion of 34%. The Ninth Circuit has held that a 20% equity cushion adequately protects a creditor's security interest. *In re Mellor*, 734 F.2d 1396, 1401 (9th Cir. 1984).

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Tentative for 11/07/19 is to DENY the motion.

The request for relief under § 11 U.S.C. § 362(d)(2) is denied as the Movant

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 5, 2019

Hearing Room

5C

10:00 AM

CONT... Eui Suk Ko and Sun Suk Kim

Chapter 7

failed to show insufficient equity cushion.

Here, the Movant is adequately protected by a substantial equity cushion of 34%. The Ninth Circuit has held that a 20% equity cushion adequately protects a creditor's security interest. *In re Mellor*, 734 F.2d 1396, 1401 (9th Cir. 1984).

Note: If Movant agrees with the above tentative, no appearance by Movant is required.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Eui Suk Ko

Represented By
Young K Chang

Joint Debtor(s):

Sun Suk Kim

Represented By
Young K Chang

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 5, 2019

Hearing Room 5C

10:00 AM

8:19-14237 Donald Erick Braun, Jr

Chapter 7

#2.00

Motion for relief from stay [Unlawful Detainer]

The Irvine Company, LLC vs. DEBTOR
(Motion filed 11/8/19)

[RE: 591 Giotto Irvine, CA 92614]

Docket 10

Tentative Ruling:

Tentative for 12/05/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Donald Erick Braun Jr

Represented By
Timothy McFarlin

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 5, 2019

Hearing Room 5C

10:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#3.00

Motion for relief from stay [Real Property]

JPMorgan Chase Bank, National Association vs. DEBTOR
(Motion filed 11/14/19)

[RE: 1311 Antigua Way, Newport Beach, California 92660]

Docket 291

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF MOTION FILED 11-27-19 (DOCKET NO. [303])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 5, 2019

Hearing Room 5C

11:00 AM

8:17-12660 Chrestotes, Inc

Chapter 11

#3.10

Motion for relief from stay [Real Property]

The Bank Of New York Mellon f/k/a The Bank Of New York, As Trustee For The Certificateholders Of the CWALT, Inc., Alternative Loan Trust 2007-o=OA6 Mortgage Pass-Through Certificates, Series 2007-OA6 (Motion filed 11/8/19)

[RE: 779 Arbolado Drive, Fullerton, CA 92835]

Docket 283

Tentative Ruling:

Tentative for 12/05/19 is to DENY the motion.

The stay of an action against property of the estate is automatically lifted when the property involved is no longer part of the estate. 11 U.S.C. § 362(c) (1). "Except as otherwise provided in the plan or the order confirming the plan, the confirmation of a plan vests all of the property of the estate in the debtor." 11 U.S.C. § 1141(b). Thus, confirmation of a reorganization plan ordinarily lifts the automatic stay against acts that would result in the exercise of control over property of the estate, because confirmation usually terminates the existence of the estate. *Hillis Motors, Inc. v. Hawaii Auto. Dealers' Ass'n*, 997 F.2d 581, 587 (9th Cir. 1993).

Appearances are required.

Party Information

Debtor(s):

Chrestotes, Inc

Represented By
David A Tilem
Kevin Tang

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 5, 2019

Hearing Room 5C

11:00 AM

8:19-10710 MyTailor.com

Chapter 11

#4.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 2/27/19)

FR: 4-18-19

Docket 0

Tentative Ruling:

Tentative for 12/05/19:

The Court notes that parties have failed to comply with LBR 7016. The Court will excuse the noncompliance in this instance, but the parties are cautioned to follow all applicable rules or risk future sanctions.

The Court will continue this status conference to February 13, 2020 at 11:00 a.m. A status report is due 14 days prior to the hearing.

Appearances are excused.

Tentative for 4/18/19 is to set the following dates/deadlines:

1. Deadline for filing a plan and disclosure statement: October 17, 2019. Note: the failure to timely file a plan and disclosure statement may result in the conversion or dismissal of the case.
2. Deadline for filing Proofs of Claims: June 27, 2019 ("Claims Bar Date").

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 5, 2019

Hearing Room

5C

11:00 AM

CONT...

MyTailor.com

Chapter 11

3. Deadline for serving Notice of Claims Bar Date: April 25, 2019.
4. Deadline for filing Objections to Claim: August 15, 2019
5. Deadline for filing Avoidance Actions: August 15, 2019
6. Continued status conference: December 5, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Party Information

Debtor(s):

MyTailor.com

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 5, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#5.00

CONT'D Hearing RE: Motion For Order Dismissing Case Pursuant To Section 1112(b) Of The Bankruptcy Code
(Motion filed 10/2/19)

FR: 10-24-19

Docket 92

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION FOR ORDER DISMISSING CASE WITH 1180 DAY BAR TO
REFILING ENTERED 11-12-19 - (DOCKET NO. [107])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron
Johnny White

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 5, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#6.00

CONT'D Hearing RE: Motion For Order Approving Compromise Pursuant To
Federal Rules Of Bankruptcy Procedure 9019
(Motion filed 10/2/19)

FR: 10-24-19

Docket 91

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION ENTERED 11-12-19 - (DOCKET NO. [109])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron
Johnny White

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 5, 2019

Hearing Room 5C

11:00 AM

8:19-11889 Invensure Insurance Brokers, Inc.

Chapter 11

#7.00

Hearing RE: Motion For Order Approving Stipulation Authorizing Debtor's Use of Cash Collateral And Providing Adequate Protection Pursuant To 11 U.S.C. Sections 361, 362, 363 And 507(b)
(Motion filed 11/4/19)

Docket 119

Tentative Ruling:

Tentative for 12/05/2019:

The court is inclined to GRANT the motion as requested, as Debtor has met its burden under 11 U.S.C. § 363.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Invensure Insurance Brokers, Inc.

Represented By
Carol Chow

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Thursday, December 12, 2019

Hearing Room 126

11:00 AM

6:12-28006 City of San Bernardino, California

Chapter 9

#4.00

Hrg. on Second Motion filed 11/21/19 of City of San Bernardino for a Fifth Order Extending the Deadline to File Motions to Make Additions to the Schedule of Contracts and Leases to be Assumed

EH_____

Docket 2915

Tentative Ruling:

Tentative for 12/12/19:

The motion is GRANTED. The Court finds this matter appropriate for disposition without a hearing, so no hearing will be held.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom Calendar**

Thursday, December 12, 2019

Hearing Room

11:00 AM

6:12-28006 City of San Bernardino, California

Chapter 9

Adv#: 6:19-01167 PLACO SAN BERNARDINO, LLC, a Delaware limited liab v. City of San

#5.00

Status Conference re: Objection filed 7/25/19 to Claims of Placo San Bernardino, LLC (Proof of Claim No. 203)

Docket 0

Tentative Ruling:

Tentative for 12/12/19:

The Court will approve the jointly filed scheduling order, except as to the pre-trial and trial dates. The pre-trial conference shall be set for 2/16/2021 at 1:30 p.m. A trial date will be set at the pre-trial conference.

The Court finds this matter appropriate for disposition without a hearing, so no hearing will be held.

Plaintiff to lodge an order within seven (7) days

Party Information

Debtor(s):

City of San Bernardino, California

Represented By
Paul R. Glassman
Fred Neufeld
Laura L Buchanan

Defendant(s):

City of San Bernardino

Represented By
Paul R. Glassman

Plaintiff(s):

PLACO SAN BERNARDINO,

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

10:00 AM

8:19-12414 Charles S Zahedi

Chapter 7

#1.00

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Francis Trinh And Julianne Trinh vs. DEBTOR
(Motion Filed 11/20/19)

**[RE: Case Name: Francis Trinh and Julianne Trinh v. Charles S. Zahedi,
DDS, et al.]**

[Docket Number: 17-cv-309168]

[Pending In: Santa Clara County Superior Court]

Docket 23

Tentative Ruling:

Tentative for 12/12/19 is to GRANT relief as sought.

To the extent a litigation involves a potential claim for payment on the debtor's insurance policy, courts have held that the action falls within the scope of § 362(a)(3) (which operates to stay "any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate"). *In re All Seasons Resorts, Inc.*, 79 B.R. 901, 904 (Bankr. C.D. Cal. 1987).

While the automatic stay terminates with respect to the debtor upon the entry of a discharge (*In re Lakhany*, 538 B.R. 555, 561 (B.A.P. 9th Cir. 2015)), the automatic stay as to the estate continues through the granting of relief or closing of the case. In this instance, the automatic stay is still in force as to the Zahedi Estate, and the movant is seeking relief to proceed against insurance proceeds only.

Appearances are required.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

10:00 AM

CONT... Charles S Zahedi

Chapter 7

Party Information

Debtor(s):

Charles S Zahedi

Represented By
Catherine Christiansen

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

10:00 AM

8:19-12414 Charles S Zahedi

Chapter 7

#2.00

Motion for relief from automatic stay [Action In Non-Bankruptcy Forum]

Vicki Picetti vs. DEBTOR
(Motion filed 11/20/19)

**[RE: Case Name: Vicki Picetti v. Charles S. Zahedi, DDS, et al.]
[Docket Number: 19-cv-350798]
[Pending In: Santa Clara County Superior Court]**

Docket 24

Tentative Ruling:

Tentative for 12/12/19 is to GRANT relief as sought.

To the extent a litigation involves a potential claim for payment on the debtor's insurance policy, courts have held that the action falls within the scope of § 362(a)(3) (which operates to stay "any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate"). *In re All Seasons Resorts, Inc.*, 79 B.R. 901, 904 (Bankr. C.D. Cal. 1987).

While the automatic stay terminates with respect to the debtor upon the entry of a discharge (*In re Lakhany*, 538 B.R. 555, 561 (B.A.P. 9th Cir. 2015), the automatic stay as to the estate continues through the granting of relief or closing of the case. In this instance, the automatic stay is still in force as to the Zahedi Estate, and the movant is seeking relief to proceed against insurance proceeds only.

Appearances are required.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

10:00 AM

CONT... Charles S Zahedi

Chapter 7

Debtor(s):

Charles S Zahedi

Represented By
Catherine Christiansen

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

10:00 AM

8:19-13492 Katherine Elizabeth Lubatti

Chapter 7

#3.00

Motion for relief from stay [Personal Property]

ACAR Leasing LTD d/b/a GM Financial Leasing vs. DEBTOR
(Motion filed 11/15/19)

[RE: 2017 Chevrolet Tahoe - VIN No.: 1GN5CBKC2HR344463]

Docket 9

Tentative Ruling:

Tentative for 12/12/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Katherine Elizabeth Lubatti

Represented By
Christopher P Walker

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#6.00

Hearing RE: Sixth Interim Application For Payment Of Fees And/Or Expenses For The Period From April 11, 2019 Through November 20, 2019 (Application filed 11/20/19)

**[RE: MENCHACA & COMPANY, LLP - Accountants For Debtors And Debtors-in-Possession]
[Fees: \$45,096.00; Expenses: \$0.00]**

Docket 1051

Tentative Ruling:

Tentative for 12/12/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

CONT...

WJA Asset Management LLC

Kathy Bazoian Phelps
Timothy W Evanston

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#7.00

Hearing RE: Motion To Approve Compromise With Secured Investment Corp.,
Lee Arnold And Jaclyn Arnold
(Motion filed 11/2/19)

Docket 1056

Tentative Ruling:

Tentative for 12/12/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#8.00

Hearing RE: First Interim Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For The Period From March 5, 2019 Through October 31, 2019
(Application filed 11/21/19)

**[RE: BORDE LAW PLLC - Attorneys For Debtor, TD REO Fund, LLC]
[Fees: \$9,164.00; Expenses: \$1,426.05]**

Docket 1053

Tentative Ruling:

Tentative for 12/12/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

CONT...

WJA Asset Management LLC

Kathy Bazoian Phelps
Timothy W Evanston

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#9.00

Hearing RE: Sixth Interim Application For Allowance And Payment Of Fees And Reimbursement Of Expenses For The Period From April 8, 2019 Through November 18, 2019
(Application filed 11/21/19)

**[RE: SMILEY WANG-EKVALL, LLP - Attorney For Debtor And Debtor-In-Possession]
[Fees: \$332,679.30; Expenses \$5,126.58]**

Docket 1054

Tentative Ruling:

Tentative for 12/12/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room

5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#10.00

Hearing RE: Fourth Interim Fee Application For Payment of Fees And Reimbursement Of Expenses For The Period From April 1, 2019 Through October 31, 2019
(Application filed 11/21/2019)

**[RE: SULMEYERKUPETZ - Attorneys For Official Committee Of Unsecured Creditors Of TD REO, LLC, TD Opportunity Fund, LLC, Equity Index Managed Fund, LLC, And Secure Real Estate Fund LLC]
[Fee : \$31,002.00; Expenses: \$92.40]**

Docket 1055

Tentative Ruling:

Tentative for 12/12/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#11.00

Hearing RE: First Interim Application For: (1) Compensation of Contingency Fees And Reimbursement Of Expenses Related To The Settlement With Secured Investment Corp., Lee Arnold And Jaclyn Arnold; And (2) Compensation Of Hourly Fees And Reimbursement of Expenses Pursuant To The Expanded Employment Order:

[RE: BRUTZKUS GUBNER - Special Litigation Counsel For Debtors and Debtors-In-Possession]

[Expanded Employment Order:]

[For The Perod From September 28, 2018 Through October 31, 2019]

[Fees: \$44,037.50; Expenses: \$59.00]

[RE: Contingency Fee:

[For The Period From November 15, 2017 Through October 31, 2019]

[Fees: \$175,000.02; Expenses: \$7,419.48]

Docket 1059

Tentative Ruling:

Tentative for 12/12/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#12.00

Hearing RE: Seventh Interim Fee Application For Payment Of Fees And Reimbursement Of Expenses For The Period From November 1, 2018 Through October 31, 2019
(Application filed 11/21/19)

**[RE: RUTAN & TUCKER, LLP - Special Counsel For Debtors And Debtors-In-Possession]
[Fees: \$58,319.50; Expenses: \$166.04]**

Docket 1060

Tentative Ruling:

Tentative for 12/12/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

#13.00

Hearing RE: Application For Payment Of: Interim Fees And/Or Expenses For The Period From April 1, 2019 Through October 31, 2019
(Application filed 11/20/19)

**[RE: DIAMOND MCCARTHY, LLP - Attorneys For TD REO Fund, LLC]
[Fees: \$20,540.50; Expenses: \$108.40]**

Docket 1049

Tentative Ruling:

Tentative for 12/12/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

CONT...

WJA Asset Management LLC

Timothy W Evanston

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

8:19-10710 MyTailor.com

Chapter 11

#14.00

Hearing RE: Debtor's Motion For Order Authorizing Payment And Honoring Of
Prepetition Payroll Obligations
(Motion filed 11/21/19)

Docket 80

Tentative Ruling:

Tentative for 12/12/19:

Appearances are required. Counsel should come prepared to discuss the
employment status of the the parties listed in the motion.

Party Information

Debtor(s):

MyTailor.com

Represented By
Christopher P Walker

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#15.00

CONT'D Hearing RE: Motion For Dismissal, Or In The Alternative, Conversion
To Chapter 7
(Motion filed 5/31/19)

FR: 6-27-19; 8-8-19; 9-4-19; 10-2-19; 11-7-19

Docket 46

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION FOR ORDER DISMISSING CASE WITH 1180 DAY BAR TO
REFILING ENTERED 11-12-19 - (DOCKET NO. [107])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

8:19-11381 The Brandywine Trust Dated August 15, 2015

Chapter 11

#16.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 4/15/19)

FR: 6/13/19; 6-27-19; 8-8-19; 9-4-19; 10-2-19; 11-7-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING MOTION FOR ORDER DISMISSING CASE WITH 1180 DAY BAR TO REFILING ENTERED 11-12-19 - (DOCKET NO. [107])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Brandywine Trust Dated August

Represented By
Simon Aron

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room

5C

11:00 AM

8:19-11889 Invensure Insurance Brokers, Inc.

Chapter 11

#17.00

Hearing RE: Objection To Claims:
(Motion filed 10/30/19)

Claim No. 2	First-Citizens Bank	\$46,508.33
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Claim No. 3	First-Citizens Bank	\$44,160.20
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Docket 105

Tentative Ruling:

Tentative for 12/12/19:

This matter is CONTINUED to January 23, 2020 at 11:00 a.m. to allow the Debtor to effectuate proper service on First Citizens Bank pursuant to LBR 3007-1(b)(2) and FRBP 7004.

Appearances are excused.

Party Information

Debtor(s):

Invensure Insurance Brokers, Inc.

Represented By
Carol Chow

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

8:19-11889 Invensure Insurance Brokers, Inc.

Chapter 11

#18.00

Hearing RE: Objection To Claims:
(Motion filed 10/30/19)

Claim No. 4-2	Steven A. Silverstein, Inc., dba Silverstein & Huston	\$26,000.00
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Docket 106

***** VACATED *** REASON: OFF CALENDAR PER ORDER
GRANTING STIPULATION RE: MEDIATION OF OBJECTION TO
PROOF OF CLAIM NO. 4-2 ENTERED 12-3-19 - (DOCKET NO. [136])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Invensure Insurance Brokers, Inc.

Represented By
Carol Chow

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room 5C

11:00 AM

8:19-11889 Invensure Insurance Brokers, Inc.

Chapter 11

#19.00

Hearing RE: Objection To Claims:
(Motion filed 10/30/19)

Claim No. 5	Duncan E. Prince and ERM Insurance Brokers, Inc.	\$824,710.93
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Docket 107

Tentative Ruling:

Tentative for 12/12/19:

The Court is inclined to continue this hearing to March 5, 2020 at 11:00 a.m. and require supplemental briefing regarding what occurred at the trial court level after remand. At this time, the Court is unable to determine whether the Court of Appeals decision had the legal effect of a modification or reversal. The Parties are requested to provide supplemental briefing by no later than February 13, 2020.

Appearances are required.

Party Information

Debtor(s):

Invensure Insurance Brokers, Inc.

Represented By
Carol Chow

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 12, 2019

Hearing Room

5C

11:00 AM

8:19-11889 Invensure Insurance Brokers, Inc.

Chapter 11

#20.00

Hearing RE: Objection To Claims:
(Motion filed 10/30/19)

Claim No. 6

James DeMarco

\$1,000,000.00

Docket 109

Tentative Ruling:

Tentative for 12/12/19:

Appearances are required.

Party Information

Debtor(s):

Invensure Insurance Brokers, Inc.

Represented By
Carol Chow

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

6:19-18115 Christopher Adams McCreight

Chapter 7

#1.00

Bonial & Associates, P.C. - movant attorney

Motion for Relief from Stay

Fifth Third Bank vs. DEBTORS
(Motion filed 11/12/19)

Re: 2016 SUZUKI GSX-S1000FAL6 ABS

EH_____

(Tele. appr. Austin Nagel, rep. creditor, Fifth Third Bank)

Docket 9

Tentative Ruling:

Tentative for 12/17/19 is to DENY.

Movant possesses an equity cushion of 29.49%. See, Movant's Declaration at ¶11.a. The Ninth Circuit has held that a 20% equity cushion adequately protects a creditor's security interest. *In re Mellor*, 734 F.2d 1396, 1401 (9th Cir. 1984).

Appearances are excused.

Party Information

Debtor(s):

Christopher Adams McCreight

Represented By
Nicholas M Wajda

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

6:19-18351 Timothy Pope and Donna Pope

Chapter 7

#2.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Santander Consumer USA Inc. vs. DEBTORS, Steven M. Speier, trustee
(Motion filed 11/20/19)

Re: 2011 Kia Forte, KNAFU4A29B5422146

EH_____

(Tele. appr. Sheryl Ith, rep. Santander)

Docket 12

Tentative Ruling:

Tentative for 12/17/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Timothy Pope

Represented By
Todd L Turoci

Joint Debtor(s):

Donna Pope

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

CONT... Timothy Pope and Donna Pope

Chapter 7

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

6:19-19036 Eric Lee Tavious Hill

Chapter 7

#3.00

Wedgewood -Office of the General Counsel - movant attorney

Motion for Relief from sty

Civic Ventures, LLC vs. DEBTOR
(Motion filed 11/15/19)

Re: 5708 Brushton Street, Los Angeles, CA 90008

EH_____

(Tele. appr. Amelia Valenzuela, rep, Civic Ventures LLC)

Docket 15

Tentative Ruling:

Tentative for 12/17/19 is to CONTINUE this matter to January 7, 2020 at 10:00 a.m. for the purposes of allowing Movant to (1) effectuate proper service upon Fay Servicing, LLC, the entity scheduled by Debtor as the applicable creditor, as required by LBR 4001-1(c)(1)(C)(iv); and, (2) file an amended declaration in support, as ¶1 of Movant's declaration was partially incomplete.

Appearances are excused.

Party Information

Debtor(s):

Eric Lee Tavious Hill Pro Se

Trustee(s):

Robert Whitmore (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

6:19-19217 Williams Angulo Flores

Chapter 7

#4.00

Bonial & Associates, P.C. - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 11/14/19)

Re: 2018 TOYOTA HIGHLANDER

EH_____

(Tele. appr. Austin Nagel, rep. Toyota)

Docket 7

Tentative Ruling:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Williams Angulo Flores

Represented By
Christopher Hewitt

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

6:19-19313 Martina Lorena Torres

Chapter 7

#5.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Nissan Motor Acceptance Corporation vs. DEBTOR; ARTURO CISNEROS,
TRUSTEE
(Motion filed 11/21/19)

RE: 2018 Nissan Sentra, VIN 3N1AB7AP7JY343644

EH ____

(Tele. appr. Sheryl Ith, rep. Nissan)

Docket 9

Tentative Ruling:

Tentative for 12/17/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Martina Lorena Torres

Represented By
Daniel King

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

CONT... Martina Lorena Torres

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

6:19-19364 Bisher Adnan Takriti

Chapter 7

#6.00

Hamaira Sadat - moving party

Motion for Relief from Stay

Homaira Sadat vs. DEBTOR
(Motion filed 11/26/19)

Re: ACTION IN NON-BANKRUPTCY FORUM

EH_____

Docket 14

Tentative Ruling:

Tentative for 12/17/19:

The Court is inclined to Continue this matter to January 7, 2020 at 10:00 a.m. to allow Movant to (1) provide proper notice and, (2) submit supplemental pleadings for the purpose of providing more information regarding the scope of the relief sought.

The notice of the motion did not state when an opposition is due, as required by LBR 9013-1(c)(2). Further, although Movant attached the request filed in State Court as an exhibit, it does not appear that the entire document was filed. Although it references an attachment, the attachment itself is not included in the motion filed with this Court.

The stay does not apply to the extent that Movant seeks relief from stay regarding the "establishment or modification of an order for domestic support obligations." See, §362(b)(2)(A)(ii). It does apply, however, to the determination of the division of any property. See, §362(b)(2)(A)(iv). Therefore, the Court requires more information regarding the scope of the relief sought by Movant.

Appearances required.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

CONT... Bisher Adnan Takriti

Chapter 7

Party Information

Debtor(s):

Bisher Adnan Takriti

Represented By
Alan A Pace

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

6:19-19565 Evangelina Lopez

Chapter 7

#7.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA Inc. vs. DEBTOR and Karl T Anderson, Trustee
(Motion filed 11/22/19)

Re: 2014 Nissan Sentra, VIN 3N1AB7AP3EY229467

EH_____

(Tele. appr. Sheryl Ith, rep. Santander)

Docket 13

Tentative Ruling:

Tentative for 12/17/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Evangelina Lopez

Represented By
Christopher Hewitt

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

CONT... Evangelina Lopez

Chapter 7

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

6:19-19665 Denalonor Zuniga

Chapter 7

#8.00

Law Offices of Vincent V. Frounjian, P.C - movant attorney

Motion for Relief from Stay

American Honda Finance Corporation vs. DEBTOR; HOWARD GROBSTEIN
(Motion filed 11/14/19)

RE: 2017 Honda Accord, VIN: 1HGC R2F1 3HA0 87091

EH ____

Docket 11

Tentative Ruling:

Tentative for 12/17/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Denalonor Zuniga

Represented By
Stephen H Darrow

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

6:19-19665 Denalonor Zuniga

Chapter 7

#9.00

Law Offices of Rashid Shamim - movant attorney

Motion for Relief from Stay

Atenogenes Galarza Rodriguez vs DEBTOR
(Motion filed 11/18/19)

Re: Atenogenes Galarza vs DR Express Inc and Dina Zuniga Docket Number:
ADJ11418667 & ADJ 11418689

EH ____

Docket 14

Tentative Ruling:

Tentative for 12/17/19 is to CONTINUE this matter to January 7, 2020 at 10:00 a.m. for the purposes of allowing Movant to effectuate proper service upon Debtor as required by LBR 4001-1(c)(1)(C)(i).

Appearances are excused.

Party Information

Debtor(s):

Denalonor Zuniga

Represented By
Stephen H Darrow

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

6:19-20023 Marina Campos

Chapter 7

#10.00

Halavais & Associates, APC - movant attorney

Motion for Relief from Stay

ITEC Financial, Inc. vs. DEBTOR
(Motion filed 11/27/19)

Re: VACANT LAND (APN 470-450-016-1)

EH_____

Docket 12

Tentative Ruling:

Tentative for 12/17/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(4) with 4001(a)(3) waiver.

"To obtain relief under §362(d)(4), the court must find three elements to be present. First, debtor's bankruptcy filing must have been part of a scheme. Second, the object of the scheme must be to delay, hinder, or defraud creditors. Third, the scheme must involve either (a) the transfer of some interest in the real property without the secured creditor's consent or court approval, or (b) multiple bankruptcy filings affecting the property. For the court to grant relief under §362(d)(4), and thus trigger two years of prospective relief as to the subject real property, it must affirmatively find that the three elements above are present." *In re First Yorkshire Holdings, Inc.*, 470 B.R. 864, 870-71 (B.A.P. 9th Cir. 2012). Here, Movant has provided evidence of a scheme to delay creditor's enforcement activities involving multiple filings affecting the property and transfers of a partial interest without Movant's consent.

Note: No court appearance by Movant is required. Should an opposing party

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

CONT... Marina Campos

Chapter 7

appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Marina Campos

Pro Se

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

6:19-20023 Marina Campos

Chapter 7

#11.00

Halavias & Associates, APC - movant attorney

Motion for Relief from Stay

ITEC Financial Inc. vs. DEBTOR
(Motion filed 11/27/19)

Re: VACANT LAND (APN 350-031-009-3, 350-140-001-2, 350-140-002-3,
350-020-001-1), Menifee, California

EH _____

Docket 13

Tentative Ruling:

Tentative for 12/17/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(4) with 4001(a)(3) waiver.

"To obtain relief under §362(d)(4), the court must find three elements to be present. First, debtor's bankruptcy filing must have been part of a scheme. Second, the object of the scheme must be to delay, hinder, or defraud creditors. Third, the scheme must involve either (a) the transfer of some interest in the real property without the secured creditor's consent or court approval, or (b) multiple bankruptcy filings affecting the property. For the court to grant relief under §362(d)(4), and thus trigger two years of prospective relief as to the subject real property, it must affirmatively find that the three elements above are present." *In re First Yorkshire Holdings, Inc.*, 470 B.R. 864, 870-71 (B.A.P. 9th Cir. 2012). Here, Movant has provided evidence of a scheme to delay creditor's enforcement activities involving multiple filings affecting the property and transfers of a partial interest without Movant's consent.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

CONT... Marina Campos

Chapter 7

Note: No court appearance by Movant is required. Should an opposing party appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Marina Campos

Pro Se

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

10:00 AM

6:19-20593 Traonna Monisha Rogers

Chapter 7

#11.10

William E. Winham - movant attorney

Motion for Relief from Stay

Gurinderpal Kakar vs. DEBTOR
(Motion filed 12/6/19)

Re: 9193 Birchwood Ct., Hesperia 92344

Docket 6

Tentative Ruling:

Tentative for 12/17/19:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Note: No court appearance by Movant is required. Should an opposing party appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Traonna Monisha Rogers

Pro Se

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

11:00 AM

6:18-16568 Scot Brian Lynch and Kimberly Ann Lynch

Chapter 7

#12.00

Hrg. on trustee's final report and applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 12/17/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Scot Brian Lynch

Represented By
Robert L Firth

Joint Debtor(s):

Kimberly Ann Lynch

Represented By
Robert L Firth

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

11:00 AM

6:18-19428 Alfonso Rosales

Chapter 7

#13.00

Hrg. on approval of trustee's final report and applications for compensation

EH_____

Docket 25

Tentative Ruling:

Tentative for 12/17/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Alfonso Rosales

Represented By
William Radcliffe

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

11:00 AM

6:19-11714 Hugh Milton Lindo

Chapter 7

#14.00

Hrg. on approval of trustee's final report and applications for compensation

EH_____

Docket 0

Tentative Ruling:

Tentative for 12/17/19 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Hugh Milton Lindo

Represented By
Steven A Alpert

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

11:00 AM

6:19-13708 SIF Services, LLC

Chapter 7

#15.00

Hrg. on Prologis, L.P. Motion filed 11/26/19 for Order Approving Agreement Relating to Relief from the Automatic Stay

EH_____

(Tele. appr. Michael Lubic, rep. creditor, Prologis LP)

Docket 172

Tentative Ruling:

Tentative for 12/17/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox
W. Sloan Youkstetter
Janis G Abrams
Michael B Lubic

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

11:00 AM

6:19-16150 Julio C Siqueiros

Chapter 7

#16.00

Hrg. on Debtor's Motion for Order Redeeming Vehicles

EH ____

(Tele. appr. Sheryl Ith, rep creditor, Santander)

Docket 18

Tentative Ruling:

Tentative for 12/17/19 is to DENY without prejudice. Debtor has not met the standards for redemption under §722, as §722 requires exemption and abandonment of the property to be redeemed.

Further, Debtor's Request to Take the Motion Off Calendar [Dk. 18] is DENIED, as it does not comply with LBR 9013-1(k) and FRBP 7041.

Appearances are excused.

Opposing Party to lodge an order within seven (7) days.

Party Information

Debtor(s):

Julio C Siqueiros

Represented By
Leonard J Cravens

Movant(s):

Julio C Siqueiros

Represented By
Leonard J Cravens
Leonard J Cravens

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

1:30 PM

6:15-12078 Orange County Nursery, Inc.

Chapter 11

#17.00

Hrg. on Chapter 11 Status Conference

(Cont. from 8/13/19)

EH_____

(Tele. appr. Janet Gertz, rep. creditor, Minority Trust)

Docket 0

Tentative Ruling:

Tentative for 12/17/19:

Appearances required.

Tentative for 8/13/19:

This matter is CONTINUED to December 17, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 4/30/19:

The Court has received and reviewed the Status Reports filed by Debtor [Dk. 1109] and Minority Voting Trust [Dk. 1110] on April 16, 2019. This matter is CONTINUED to August 13, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

1:30 PM

CONT... Orange County Nursery, Inc.

Chapter 11

Debtor(s):

Orange County Nursery, Inc.

Represented By
David S Kupetz
Steven Werth
Elissa Miller
Arthur Gutierrez Longoria
Tamar Terzian

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

1:30 PM

6:15-12078 Orange County Nursery, Inc.

Chapter 11

#18.00

Hrg. on Creditor, The Minority Voting Trust Objection to claim of Esther Veyna

EH_____

(Tele. appr. Janet Gertz, rep. creditor, Minority Trust)

Docket 0

Tentative Ruling:

Tentative for 12/17/19:

The Court seeks to inquire whether the Parties desire an evidentiary hearing on this matter.

Appearances required.

Party Information

Debtor(s):

Orange County Nursery, Inc.

Represented By
David S Kupetz
Steven Werth
Elissa Miller
Arthur Gutierrez Longoria
Tamar Terzian

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, December 17, 2019

Hearing Room 126

1:30 PM

6:19-13708 SIF Services, LLC

Chapter 7

#19.00

Hrg. on BPP Shiraz Arch 3 LP Motion filed 7/30/19 For Allowance and to Compel Payment of Administrative Rent Claim

EH_____

(Cont. from 10/3/19)

Docket 129

***** VACATED *** REASON: Order entered 10/8/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

SIF Services, LLC

Represented By
Steven R Fox
W. Sloan Youkstetter
Janis G Abrams
Michael B Lubic

Movant(s):

BPP Shiraz Arch 3 LP, Successor in

Represented By
Keith C Owens

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 18, 2019

Hearing Room 126

1:30 PM

6:17-19106 Timothy Edward Mathias

Chapter 7

Adv#: 6:19-01031 Mathias et al v. United States Department of Education et al

#12.00

PRE-TRIAL CONFERENCE re: Complaint by Timothy Edward Mathias, Kirt Lee Edly against United States Department of Education, Ed Financial Services-523(a)(8)

EH_____

Docket 1

***** VACATED *** REASON: Order approving stipulation on 9/3/19 to Dismiss Adversary Proceeding and vacate Status Conference - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Timothy Edward Mathias

Represented By
Jenny L Doling

Defendant(s):

United States Department of
Edfinancial Services

Pro Se
Pro Se

Joint Debtor(s):

Kirt Lee Edly

Represented By
Jenny L Doling

Plaintiff(s):

Timothy Edward Mathias

Represented By
Jenny L Doling

Kirt Lee Edly

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 18, 2019

Hearing Room 126

1:30 PM

CONT... Timothy Edward Mathias

Jenny L Doling

Chapter 7

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 18, 2019

Hearing Room 126

1:30 PM

6:18-17314 Harry Haro

Chapter 7

Adv#: 6:19-01134 Cube v. Haro et al

#13.00

STATUS CONFERENCE re: Complaint by Abigael Cube against Harry Haro, Lagrimas Haro for Determination of Dischargeability of Debt Pursuant to 11 USC Section 523(a)(3), 11 USC 523(a)(4)

EH _____

Docket 1

***** VACATED *** REASON: Cont. to 2/12/20 @ 1:30 p.m. - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Harry Haro

Represented By
Andrew M Rosenfeld
James F Drake

Defendant(s):

Harry Haro

Pro Se

Lagrimas Haro

Pro Se

Joint Debtor(s):

Lagrimas Haro

Represented By
James F Drake

Plaintiff(s):

Abigael Cube

Represented By
Gene Koon

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 18, 2019

Hearing Room 126

1:30 PM

6:18-18200 John Obrien

Chapter 7

Adv#: 6:19-01086 United States Trustee for the Central District of v. Obrien et al

#14.00

Hrg. on U.S. Trustee's Motion filed 11/15/19 for Default Judgment

EH_____

Docket 16

Tentative Ruling:

Tentative for 12/18/19 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Plaintiff is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Plaintiff will be so notified.

Plaintiff to lodge an order within seven (7) days.

Party Information

Debtor(s):

John Obrien

Represented By
Christopher J Murtagh

Defendant(s):

John Obrien

Pro Se

Tracy Obrien

Pro Se

Joint Debtor(s):

Tracy Obrien

Represented By
Christopher J Murtagh

Plaintiff(s):

United States Trustee for the Central

Represented By
Everett L Green

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 18, 2019

Hearing Room 126

1:30 PM

CONT... John O'Brien

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Represented By
Christopher J Murtagh
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 18, 2019

Hearing Room 126

1:30 PM

6:18-18200 John Obrien

Chapter 7

Adv#: 6:19-01086 United States Trustee for the Central District of v. Obrien et al

#14.10

STATUS CONFERENCE re: Complaint by United States Trustee for the Central District of California, Region 16 against John Obrien, Tracy Obrien - 727(c),(d),(e)

(Cont. from 12/4/19)

EH_____

Docket 1

Tentative Ruling:

Tentative for 12/18/19:

This matter is CONTINUED to February 19, 2020 at 1:30 p.m. as a holding date pending entry of the order on the motion for default judgment and dismissal of the remaining claim. If the action is still pending by the time of the continued status conference hearing, a status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

John Obrien

Represented By

Christopher J Murtagh

Defendant(s):

John Obrien

Pro Se

Tracy Obrien

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 18, 2019

Hearing Room 126

1:30 PM

CONT... John Obrien

Chapter 7

Joint Debtor(s):

Tracy Obrien

Represented By
Christopher J Murtagh

Plaintiff(s):

United States Trustee for the Central

Represented By
Everett L Green

Trustee(s):

Todd A. Frealy (TR)

Represented By
Christopher J Murtagh
Michelle A Marchisotto

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 18, 2019

Hearing Room 126

1:30 PM

6:18-18354 Luis Manuel Jimenez

Chapter 7

Adv#: 6:19-01045 Daff, Chapter 7 Trustee v. Jimenez

#15.00

STATUS CONFERENCE re: Complaint by Charles W. Daff, Chapter 7 Trustee
against Rocio Jimenez - 542 turnover of property

(Cont. from 9/18/19)

EH _____

Docket 1

***** VACATED *** REASON: Order Approving Stipulation to Dismiss
Adversary Proceeding entered 11/5/19 - jc**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luis Manuel Jimenez

Represented By
Brian J Soo-Hoo

Defendant(s):

Rocio Jimenez

Pro Se

Plaintiff(s):

Charles W. Daff, Chapter 7 Trustee

Represented By
Brandon J Iskander

Trustee(s):

Charles W Daff (TR)

Represented By
Brandon J Iskander
Lynda T Bui

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 18, 2019

Hearing Room 126

1:30 PM

6:19-12074 Jason Ortiz

Chapter 7

Adv#: 6:19-01091 Commonwealth Land Title Insurance Company v. Ortiz et al

#16.00

STATUS CONFERENCE Re: Complaint by Commonwealth Land Title Insurance Company against Jason Ortiz, Brianna Ortiz - §§ 523(a)(2), (a)(6)

EH_____

(Cont. from 11/20/19)

(Tele. appr. Karen Ragland, rep. Assignee of Record, Commonwealth Land title Inc. Co.

Docket 1

Tentative Ruling:

Tentative for 12/18/19:

Appearances required.

The parties filed a late joint status report which is not in compliance with LBR 7016-1(a)(2). The Court will excuse the failure to follow the local rules in this instance, but the parties are cautioned that future compliance is required.

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: May 1, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: June 11, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: July 15, 2020 at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Wednesday, December 18, 2019

Hearing Room 126

1:30 PM

CONT...

Jason Ortiz

Chapter 7

and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Tentative for 09/04/19:

The Court has reviewed the Motion for Relief from Default Judgement [Dk. 13] filed on August 12, 2019, by Debtors Jason Ortiz and Brianna Ortiz. In light of the foregoing, the Court finds good cause to set that matter for hearing, and will CONTINUE this status conference, to November 20, 2019 at 1:30 p.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Jason Ortiz

Represented By
Natalie A Alvarado

Defendant(s):

Jason Ortiz

Pro Se

Brianna Ortiz

Pro Se

Joint Debtor(s):

Brianna Ortiz

Represented By
Natalie A Alvarado

Plaintiff(s):

Commonwealth Land Title Insurance

Represented By
Karen A Ragland

Trustee(s):

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

10:00 AM

8:17-12010 TD REO Fund LLC

Chapter 11

Adv#: 8:19-01088 TD REO Fund LLC v. Sage et al

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Avoid And Recover Fraudulent Transfers
[11 U.S.C. Sections 544, 548(a)(1)(A) And (B), 550(a)(1) And (2) And California Civil Code Section 3439, et seq.]
(Complaint filed 5/15/19)
(Another Summons issued 9-27-19)

FR: 8-8-19; 11-7-19

Docket 1

***** VACATED *** REASON: CONTINUED TO FEBRUARY 20, 2020 AT 11:00 A.M. PER ORDER APPROVING STIPULATION TO EXTEND DATES AND DEADLINES ENTERED 11-19-19 - (DOCKET NO. [36])**

Tentative Ruling:

Tentative for 8/08/19:

This matter is CONTINUED to November 7, 2019 at 11:00 a.m. A status report (whether joint or unilateral) is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

TD REO Fund LLC

Represented By
Lei Lei Wang Ekvall
Robert S Marticello
Kyra E Andrassy

Defendant(s):

Loisanne Sage

Pro Se

Loisanne Sage as the trustee of the

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

10:00 AM

CONT... TD REO Fund LLC

Chapter 11

Plaintiff(s):

TD REO Fund LLC

Represented By
Michael W Davis

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

10:00 AM

8:17-12887 Dana Kim Shelton

Chapter 7

Adv#: 8:18-01006 Richard A. Marshack, Chapter 7 Trustee, v. Larson et al

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Status Of Appeal RE:
Complaint:

(1) To Determine The Validity, Priority, And Extent Of Liens;

(2) Objecting To Daniel Keith Larson And Erin Ellen Larson [Claim No. 3] Filed
On December 21, 2017;

(3) To Surcharge Lienholders For The Expenses Necessary To Preserve
Collateral Securing Their Claims; And

(4) Damages For Violations Of Section 807 Of The FDCPA, 15 U.S.C. Section
1692e

**[STATUS CONFERENCE AS TO PETER KOTE, BANK OF AMERICA;
DANIEL KEITH LARSON, AND ERIN ELLEN LARSON]**

(Complaint filed 1/9/18) (PTC set at S/C held 3/8/18)

(S/C set per Order Entered 10-9-18)

[Holding Date]

FR: Advanced from 4-18-18; 9-19-18; 12-5-18; 2-20-19; 2-27-19; 3-20-19;
5-15-19; 8-14-19

Docket 1

Tentative Ruling:

Tentative for 12/18/19:

This matter is CONTINUED to March 18, 2020, at 11:00 a.m. If all appeals
have not been completed and the case has not been dismissed, a status
report is due 14 days in advance.

Appearances are excused

Tentative for 8/14/19:

This matter is CONTINUED to December 18, 2019, at 11:00 a.m. If all

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

10:00 AM

CONT... **Dana Kim Shelton** **Chapter 7**

appeals have not been completed and the case has not been dismissed, a status report is due 14 days in advance.

Appearances are excused.

Tentative for 5/15/19:

This matter is CONTINUED to August 14, 2019, at 10:00 a.m., as a holding date to allow resolution of any issues related to the appeal of the Order Approving Settlement between Trustee and Peter Kote.

If all appeals have not been completed and the case has not been dismissed, a status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Dana Kim Shelton

Represented By
Christopher P Walker

Defendant(s):

Daniel Keith Larson

Pro Se

Erin Ellen Larson

Pro Se

Peter Kote

Pro Se

BANK OF AMERICA, N.A

Pro Se

Plaintiff(s):

Richard A. Marshack, Chapter 7

Represented By
Misty A Perry Isaacson

Trustee(s):

Richard A Marshack (TR)

Represented By
Misty A Perry Isaacson

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

10:00 AM

CONT... Dana Kim Shelton

Chapter 7

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

10:00 AM

8:18-10969 Luminance Recovery Center, LLC

Chapter 7

Adv#: 8:18-01064 Marshack v. Castanon et al

#3.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: First Amended Complaint:

1. To Recover Unlawful Dividends;
 2. To Avoid And Recover Fraudulent Transfers Under 11 U.S.C. Sections 544(b) And 550 And California Civil Code Section 3439.04(a)(1);
 3. To Avoid And Recover Pre-Petition Transfers Under 11 U.S.C. Sections 544(b) And 550 And California Civil Code Section 3439.04(a)(2);
 4. To Avoid Pre-Petition Transfers Pursuant To 11 U.S.C. Sections 544(b) And California Civil Code Section 3439.05;
 5. To Avoid Pre-Petition Transfers Pursuant To 11 U.S.C. Section 548(a)(1)(B)
 6. To Avoid Pre-Petition Transfer Pursuant To 11 U.S.C. Section 549(a)
- (First Amended Complaint filed 1/3/19)
(Another Summons issued 2/15/19)
(PTC set at S/C held 5/15/19)

FR: 4-3-19; 5-15-19

Docket 1

***** VACATED *** REASON: OFF CALENDAR - CASE REASSIGNED
TO JUDGE THEODOR C. ALBERT PER ORDER ENTERED 8-14-19 -
(DOCKET NO. [89])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luminance Recovery Center, LLC

Represented By
Jeffrey I Golden
Beth Gaschen

Defendant(s):

Michael Edward Castanon

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

10:00 AM

CONT... Luminance Recovery Center, LLC

Chapter 7

Rhonda Walker

BeachPointe Investments, Inc.	Pro Se
George Bawuah	Pro Se
Jerry Bolnick	Pro Se
Jonathan Blau	Pro Se
Joseph Bolnick	Pro Se
Maria Castanon	Pro Se
Kenneth Miller	Pro Se
Peter Van Petten	Pro Se
Raymond Midley	Pro Se
Veronica Marfori	Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Sharon Oh-Kubisch

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Kyra E Andrassy
Jeffrey I Golden
Beth Gaschen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

10:00 AM

8:19-10661 Huy Quang Dao

Chapter 7

Adv#: 8:19-01109 Ho Jung Kim DDS, Inc. v. Dao et al

#4.00

Hearing RE: Plaintiff's Motion For Summary Judgment Or, In The Alternative, Summary Adjudication Against Debtor-Defendant Huy Quang Dao (Motion filed 11/6/19)

Docket 12

Tentative Ruling:

Tentative for 12/18/19:

Before the Court is a Motion for Summary Judgment. Plaintiff argues that it is entitled to judgment as a matter of law on the nondischargeability action under §§ 523(a)(2)(A) and 523(a)(6) based on the preclusive effect of a default judgment rendered against Defendant Huy Quang Dao for multiple causes of action.

While default judgments carry preclusive effect, California courts have applied such preclusive effect only where the record shows that the trial court made an express finding or necessarily decided an issue in the prior proceeding. *In re Cantrell*, 329 F.3d 1119 (9th Cir. 2003). A court's silence concerning a pleaded allegation does not constitute adjudication of the issue. *In re Harmon*, 250 F.3d at 1247 (9th Cir. 2001).

The Court is inclined to DENY the motion for summary judgment for the following reasons:

1. Plaintiff fails to demonstrate that the trial court made express findings or necessarily decided the issues required by §§ 523(a)(2)(A) and 523(a)(6) by virtue of the default judgment.
2. Even if the Court were to assume, based on the award of attorneys fees, that the trial court necessarily decided the Violation of Cal. Penal Code § 502 cause of action, Plaintiff fails to demonstrate which of the four violations plead was found to have occurred. Without this information, the Court cannot find

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room

5C

10:00 AM

CONT...

Huy Quang Dao

Chapter 7

intent to deceive.

3. Even if all of the violations plead were found to have occurred, the motion would fail as to § 523(a)(2)(A), because the violations fail to support a finding of justifiable reliance.

As a result, there remains genuine issue of material fact and the Movant is not entitled to judgment as a matter of law. Fed. R. Civ. P. 56(c).

Appearances required.

Party Information

Debtor(s):

Huy Quang Dao

Represented By
Denise Ho

Defendant(s):

Huy Quang Dao

Represented By
Denise Ho

Kellie Ho Ta

Represented By
Denise Ho

Joint Debtor(s):

Kellie Ho Ta

Represented By
Denise Ho

Plaintiff(s):

Ho Jung Kim DDS, Inc.

Represented By
Christian T Kim

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

10:00 AM

8:19-12414 Charles S Zahedi

Chapter 7

Adv#: 8:19-01190 Murray v. Zahedi

#5.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Debt Nondischargeable Pursuant To 11 U.S.C. Sections 523(a)(2) And (6) (Complaint filed 9/20/19)

Docket 1

Tentative Ruling:

Tentative for 12/18/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: April 15, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: May 30, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: July 1, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Charles S Zahedi

Represented By
Catherine Christiansen

Defendant(s):

Charles S Zahedi

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

10:00 AM

CONT... Charles S Zahedi

Chapter 7

Plaintiff(s):

Patricia Murray

Represented By
Thomas J Eastmond

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

10:00 AM

8:19-12414 Charles S Zahedi

Chapter 7

Adv#: 8:19-01198 Moersch v. Zahedi

#6.00

STATUS CONFERENCE Hearing RE: Complaint Objecting To Discharge Of Debt:

(1) False Pretenses, False Representation, Fraud

[11 U.S.C. Section 523(a)(2)(A)]

(2) Wilful And Malicious Injury [11 U.S.C. Section 523(a)(6)]

(Complaint filed 9/30/19)

Docket 1

Tentative Ruling:

Tentative for 12/18/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: April 15, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: May 30, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: July 1, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Charles S Zahedi

Represented By
Catherine Christiansen

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

10:00 AM

CONT... Charles S Zahedi

Chapter 7

Defendant(s):

Charles S Zahedi

Pro Se

Plaintiff(s):

Carlo Moersch

Represented By
Jeffrey D Schreiber

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

11:00 AM

8:11-17664 Martha Lucrecia Diaz

Chapter 7

#7.00

Hearing RE: Motion To Reopen Chapter 7 Case To File Motion For The Trustee To Abandon The Asset Or File Adversary Complaint
(Motion filed 11/5/19)

Docket 30

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION TO REOPEN ENTERED 12-11-19 - (DOCKET NO. [34])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Martha Lucrecia Diaz

Represented By
Dennise S Henderson

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

11:00 AM

8:17-12887 Dana Kim Shelton

Chapter 7

#8.00

CONT'D Hearing RE: Motion For An Order To Show Cause To Hold In Contempt Of Discharge Injunction: (1) Sharon Deon Sims, (2) Daniel Keith Larson and (3) Erin Ellen Larson; Compensatory Damages, Attorneys Fees And Costs As Sanctions For Violating The Discharge Injunction (Motion 10/29/19)

FR: 11-20-19

Docket 189

Tentative Ruling:

Tentative for 12/18/19 is to GRANT the motion for issuance of an order to show cause ("OSC"). The Court will set the hearing on the OSC for January 22, 2020, at 11:00 a.m. Any opposition to the OSC must be filed by no later than January 1, 2020, with a reply to the opposition filed by no later than January 8, 2020.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Tentative for 11/20/19:

The Court will CONTINUE this matter to December 18, 2019 at 11:00 a.m. as the Movant has failed to properly serve all parties pursuant to LBR 9013-1 and 9013-3.

Accordingly, no hearing will be held on 11/20/19 and appearances are excused.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

11:00 AM

CONT... Dana Kim Shelton

Chapter 7

Debtor(s):

Dana Kim Shelton

Represented By
Christopher P Walker

Trustee(s):

Richard A Marshack (TR)

Represented By
Misty A Perry Isaacson

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

11:00 AM

8:18-13145 James L Conkey

Chapter 7

Adv#: 8:18-01212 Saab et al v. Conkey

#9.00

CONT'D STATUS CONFERENCE Hearing RE: Second Amended Complaint
To Determine Dischargeability Of Debt
(Complaint filed 12/3/18)
Advanced from 11/6/19 - Order Entered 8-15-19)
(Second Amended Complaint filed 3/19/19)

FR: 2-27-19; 5-1-19; 5-15-19; advanced from 11-6-19; 9-18-19

Docket 22

Tentative Ruling:

Tentative for 12/18/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: June 15, 2020. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: July 31, 2020. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: September 2, 2020 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Tentative for 09/18/19:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

11:00 AM

CONT... James L Conkey

Chapter 7

This matter is CONTINUED to 12/18/19 at 11:00 a.m. A status report is due 14 days in advance.

Tentative for 5/14/19:

The Court has determined that this matter is appropriate for disposition without a hearing and will not hear oral argument. An order will be issued shortly.

No appearances will be permitted.

Tentative for 5/01/19:

This matter is CONTINUED to 5/15/19 at 10:00 a.m. to coincide with the hearing on the motion to dismiss. A status report is not required for the continued hearing.

Appearances are excused.

Tentative for 2/27/19 is to CONTINUE to 5/1/19 at 11:00 a.m. A status report is due 14 days in advance.

Party Information

Debtor(s):

James L Conkey

Represented By
Laleh Ensafi

Defendant(s):

James L Conkey

Pro Se

Plaintiff(s):

Camil Saab

Represented By
Douglas Jaffe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

11:00 AM

CONT... **James L Conkey**
Helou Saab, Inc.

Represented By
Douglas Jaffe

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

11:00 AM

8:18-13588 Tim M. McKenna

Chapter 7

Adv#: 8:19-01004 Law Offices of Michelle J. Sukhov, Inc. v. McKenna

#10.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint Objecting To Debtor's Discharge Under 11 U.S.C. Section 727 And For Nondischargeability Of Debt Under 11 U.S.C. Section 523(a)(2) (Complaint filed 1/4/19)

FR: 4-3-19

Docket 1

Tentative Ruling:

Tentative for 12/18/19:

Appearances required. Counsels should be prepared to discuss trial scheduling.

Potential available trial dates are:

Week of February 24, 2020

March 16-17, 2020

March 23-24, 2020

April 6-8, 2020

Week of April 20, 2020

Tentative for 4/3/19:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: September 30, 2019. Note: this date includes the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: November 15, 2019. Note: this date includes the date by which all non-discovery motions must be heard and resolved.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

11:00 AM

CONT... Tim M. McKenna

Chapter 7

4. Pretrial conference: December 18, 2019 at 11:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of sanctions, including the striking of the answer and dismissal of the complaint.

Party Information

Debtor(s):

Tim M. McKenna

Represented By
Michael G Spector

Defendant(s):

Tim M. McKenna

Pro Se

Plaintiff(s):

Law Offices of Michelle J. Sukhov,

Represented By
Michelle J Nelson

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Ryan W Beall
Reem J Bello

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, December 18, 2019

Hearing Room 5C

11:00 AM

8:18-13666 Brooks T Morgan

Chapter 7

#11.00

Hearing RE: Chapter 7 Trustee's Motion For Order Disallowing Late filed Claims:
(Motion filed 11/15/19)

Claim No. 19	Wells Fargo Bank, N.A.	\$43,383.05
Claim No. 20	Wells Fargo Bank, N.A.	\$43,157.97

Docket 293

***** VACATED *** REASON: CONTINUED TO JANUARY 8, 2020 AT 11:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE HEARING ENTERED 12-2-19 - (DOCKET NO. [307])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brooks T Morgan

Represented By
Catherine Christiansen

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

10:00 AM

8:19-13340 Mark Kevin Echan and Ilyse Sorelle Kracow

Chapter 7

#1.00

CONT'D Motion for relief from stay [Real Property]

Wilmington Savings Fund Society, FSB, D/B/A Christiana Trust, Not Individually But As Trustee For Pretium Mortgage Acquisition Trust vs. DEBTORS
(Motion filed 10/15/19)

[RE: 364 Princeton Drive, Costa Mesa, California 92626]

FR: 11-7-19

Docket 28

Tentative Ruling:

Tentative for 12/19/19:

This matter has been continued to 2/20/20 at 10:00 a.m. per stipulation of the parties.

Hearing vacated.

Party Information

Debtor(s):

Mark Kevin Echan

Represented By
Stephen L Burton

Joint Debtor(s):

Ilyse Sorelle Kracow

Represented By
Stephen L Burton

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

10:00 AM

8:19-13369 Hussein Salah Suheimat and Lucy Emmanuel Shirajian

Chapter 7

#2.00

Motion for relief from stay [Real Property]

Wells Fargo Bank, N.A. vs. DEBTORS
(Motion filed 11/27/19)
(Amended Motion filed 12/3/19)

[RE: 9 Verano, Foothill Ranch, California 92610]

Docket 41

***** VACATED *** REASON: CONTINUED TO FEBRUARY 20, 2020 AT
10:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE
HEARING ENTERED 12-16-19 - (DOCKET NO. [56])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hussein Salah Suheimat

Represented By
Michael A Cisneros

Joint Debtor(s):

Lucy Emmanuel Shirajian

Represented By
Michael A Cisneros

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

10:00 AM

8:14-10693 Frank Daniel Wright and Jo Ann Wright

Chapter 7

#2.10

Hearing RE: Debtor's Motion To Avoid Lien Under 11 U.S.C. Section 522(f)
(Real Property) With Citibank, National Association
(Motion filed 12/10/19)
(OST Signed 12-11-19)

[RE: 35 Melrose Drive, Mission Viejo, CA 92692]

Docket 25

Tentative Ruling:

Tentative for 12/19/19 is to GRANT.

Note: No court appearance by Movant is required. Should an opposing party appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Frank Daniel Wright

Represented By
Lawrence P Bellomo
Anerio V Altman

Joint Debtor(s):

Jo Ann Wright

Represented By
Lawrence P Bellomo
Anerio V Altman

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

10:00 AM

8:14-10693 Frank Daniel Wright and Jo Ann Wright

Chapter 7

#2.20

Hearing RE: Debtor's Motion To Avoid Lien Under 11 U.S.C. Section 522(f)
(Real Property) With Discover Bank
(Motion filed 12/10/19)
(OST Signed 12-11-19)

[RE: 35 Melrose Drive, Mission Viejo, CA 92692]

Docket 26

Tentative Ruling:

Tentative for 12/19/19 is to GRANT.

Note: No court appearance by Movant is required. Should an opposing party appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Frank Daniel Wright

Represented By
Lawrence P Bellomo
Anerio V Altman

Joint Debtor(s):

Jo Ann Wright

Represented By
Lawrence P Bellomo
Anerio V Altman

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

10:00 AM

8:14-10693 Frank Daniel Wright and Jo Ann Wright

Chapter 7

#2.30

Hearing RE: Debtor's Motion To Avoid Lien Under 11 U.S.C. Section 522(f)
(Real Property) With GCFS, Inc.
(Motion filed 12/10/19)
(OST Signed 12-11-19)

[RE: 35 Melrose Drive, Mission Viejo, CA 92692]

Docket 27

Tentative Ruling:

Tentative for 12/19/19 is to GRANT.

Note: No court appearance by Movant is required. Should an opposing party appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Frank Daniel Wright

Represented By
Lawrence P Bellomo
Anerio V Altman

Joint Debtor(s):

Jo Ann Wright

Represented By
Lawrence P Bellomo
Anerio V Altman

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

10:00 AM

8:14-10693 Frank Daniel Wright and Jo Ann Wright

Chapter 7

#2.40

Hearing RE: Debtor's Motion To Avoid Lien Under 11 U.S.C. Section 522(f)
(Real Property) With Vion Holdings, LLC
(Motion filed 12/10/19)
(OST Signed 12-11-19)

[RE: 35 Melrose Drive, Mission Viejo, CA 92692]

Docket 28

Tentative Ruling:

Tentative for 12/19/19 is to GRANT.

Note: No court appearance by Movant is required. Should an opposing party appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Frank Daniel Wright

Represented By
Lawrence P Bellomo
Anerio V Altman

Joint Debtor(s):

Jo Ann Wright

Represented By
Lawrence P Bellomo
Anerio V Altman

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

10:00 AM

8:14-10693 Frank Daniel Wright and Jo Ann Wright

Chapter 7

#2.50

Hearing RE: Debtor's Motion To Avoid Lien Under 11 U.S.C. Section 522(f)
(Real Property) With Investment Retrievers, Inc.
(Motion filed 12/10/19)
(OST Signed 12-11-19)

[RE: 35 Melrose Drive, Mission Viejo, CA 92692]

Docket 29

Tentative Ruling:

Tentative for 12/19/19 is to GRANT.

Note: No court appearance by Movant is required. Should an opposing party appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Frank Daniel Wright

Represented By
Lawrence P Bellomo
Anerio V Altman

Joint Debtor(s):

Jo Ann Wright

Represented By
Lawrence P Bellomo
Anerio V Altman

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

10:00 AM

8:14-10693 Frank Daniel Wright and Jo Ann Wright

Chapter 7

#2.60

Hearing RE: Debtor's Motion To Avoid Lien Under 11 U.S.C. Section 522(f)
(Real Property) With EGC Financial, LLC
(Motion filed 12/10/19)
(OST Signed 12-11-19)

[RE: 35 Melrose Drive, Mission Viejo, CA 92692]

Docket 30

Tentative Ruling:

Tentative for 12/19/19 is to GRANT.

Note: No court appearance by Movant is required. Should an opposing party appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Frank Daniel Wright

Represented By
Lawrence P Bellomo
Anerio V Altman

Joint Debtor(s):

Jo Ann Wright

Represented By
Lawrence P Bellomo
Anerio V Altman

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

11:00 AM

8:16-12856 Michael Edward Favreau
Adv#: 8:16-01229 Ruiz et al v. Favreau

Chapter 11

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Amended Complaint To The Nondischargeability Of Certain Debts Owed By Debtor Michael Edward Favreau To Christopher P. And Theresa Ruiz Pursuant To 11 U.S.C. Section 523 (Complaint filed 10/17/16) (Amended Complaint filed 2/13/17)

FR: 1-12-17; 3-16-17; 4-20-17; 6-19-17; 12-14-17; 1-11-18; 5-3-18; 10-18-18; 10-25-18; 4-18-19

Docket 16

Tentative Ruling:

Tentative for 12/19/19:

This matter is CONTINUED to May 14, 2020 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 4/18/19:

This matter is CONTINUED to December 19, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Tentative for 10/25/18:

This matter is CONTINUED to April 18, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

11:00 AM

CONT... Michael Edward Favreau

Chapter 11

Tentative for 5/03/18:

The Court has received and reviewed the status report filed 4/19/18 [Dk. 28] and will CONTINUE this matter to October 18, 2018 at 11:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Michael Edward Favreau

Represented By
Robert P Goe

Defendant(s):

Michael Edward Favreau

Pro Se

Plaintiff(s):

Christopher P. Ruiz

Represented By
John W Lucas

Theresa-Keane Ruiz

Represented By
John W Lucas

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room

5C

11:00 AM

8:16-15064 Charles Flowers Harrison and Martha Isabel Montoya

Chapter 11

#4.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 12/1416)

FR: 2-2-17; 5-11-17; 12-14-17; 4-19-18; 5-3-18;10-18-18; 10-25-18; 2-21-19; 5-2-19; 7-18-19

Docket 1

Tentative Ruling:

Tentative for 12/19/19:

This matter is CONTINUED to 01/09/20 at 11:00 a.m. to coincide with the hearing on the adequacy of Debtor's Amended Disclosure Statement. A status report is not required for this hearing.

Appearances are excused.

Tentative for 7/18/19 is to set a continued status conference date of November 21, 2019 at 11:00 a.m. with a status report due 14 days in advance.

Appearances required.

Tentative for 5/2/19:

Appearances required. The Court will set deadlines for the filing of a plan and disclosure statement.

Tentative for 10/25/18:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room

5C

11:00 AM

CONT... Charles Flowers Harrison and Martha Isabel Montoya

Chapter 11

The Court is inclined to set the following dates/deadlines:

1. Deadline for filing an amended disclosure statement and plan: December 31, 2018, with a hearing on the adequacy of the amended disclosure statement to take place on February 21, 2019 at 11:00 a.m.
2. A continued status conference: February 21, 2019 at 11:00 a.m.

Appearances required.

Tentative for 5/03/18 is to set a CONTINUED date of October 18, 2018 at 11:00 a.m., with a status report is due 14 days in advance.

Appearances required.

Tentative for 12/14/17:

The Court has received and reviewed the Status Report filed by Debtor on 11/30/17 [Dk. 140] and by Creditor Axis CP I, LLC on 11/30/17 [Dk. 141] and will CONTINUE this matter to April 19, 2018 at 11:00 a.m. A status report is due 14 days in advance.

Appearances for the 12/14/17 hearing are excused.

Tentative for 5/11/17:

The Court will CONTINUE the status conference to coincide with the continued hearing on the Disclosure Statement, presently proposed to be July 13, 2017 at 11:00 a.m.

Tentative for 2/2/17 is to set the following dates/deadlines:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room

5C

11:00 AM

CONT... Charles Flowers Harrison and Martha Isabel Montoya Chapter 11

1. March 30, 2017 - deadline to file plan and disclosure statement (as requested by Debtors in their 1/23/17 Status Report [Dk. 32]). The failure to timely file a plan and/or disclosure statement may result in the dismissal or conversion of the case.
2. The Court notes that a bar date of March 20, 2017 has already been established. June 30, 2017 will be the deadline to object to claims.
3. A continued status conference will be held on May 11, 2017 at 11:00 a.m. A status report is due 14 days in advance.

Party Information

Debtor(s):

Charles Flowers Harrison

Represented By
Michael Jones

Joint Debtor(s):

Martha Isabel Montoya

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

11:00 AM

8:17-11996 WJA Asset Management LLC

Chapter 11

Adv#: 8:19-01010 Luxury Asset Purchasing International, LLC v. Luxury Asset Lending, LLC

#5.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint:

- (1) To Disallow Proof Of Claim;
 - (2) To Avoid Incurrence Of Debt;
 - (3) For Contractual Indemnity; And
 - (4) Breach Of Contract
- (Complaint filed 1/9/19)
(PTC set at S/C held 4/4/19)

FR: 4-4-19; 9-19-19

Docket 1

***** VACATED *** REASON: CONTINUED TO MARCH 5, 2020 AT
11:00 A.M. PER ORDER APPROVING STIPULATION ENTERED 11-1-19
- (DOCKET NO. [37])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

WJA Asset Management LLC

Represented By

Lei Lei Wang Ekvall
Robert S Marticello
Michael Simon
Philip E Strok
Kyra E Andrassy
Roger F Friedman
Susan K Seflin
Steven T Gubner
Corey R Weber
Michael W Davis
Kathy Bazoian Phelps
Timothy W Evanston

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

11:00 AM

CONT... WJA Asset Management LLC

Chapter 11

Defendant(s):

Luxury Asset Lending, LLC Pro Se

David Moore Pro Se

Jackman Industries, Inc. Pro Se

Plaintiff(s):

Luxury Asset Purchasing
Represented By
Kyra E Andrassy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

11:00 AM

8:17-12753 David Vincent Ross and Cheri LeAnn Ross

Chapter 11

#6.00

CONT'D Hearing RE Post Confirmation Report RE: Fourth Amended Chapter 11 Plan Of Reorganization
(Set at Third Amended D.S. hearing held 6-7-18)
(Second Amended D.S. filed 3/29/18)
(Third Amended D.S. filed 5/16/18)
(Fourth Amended D.S. filed 6/14/18)
(Fourth Amended Plan filed 6/20/18)
(Set at Fourth Amended Ch. 11 Plan hearing held 8/23/18)

FR: 1-16-19; 4-18-19; 8-8-19

Docket 154

***** VACATED *** REASON: OFF CALENDAR - ORDER GRANTING
MOTION IN CHAPTER 11 CASE FOR ENTRY OF AN ORDER CLOSING
CASE ON INTERIM BASIS ENTERED 11-25-19 - (DOCKET NO. [237])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Vincent Ross

Represented By
Michael Jones
Sara Tidd

Joint Debtor(s):

Cheri LeAnn Ross

Represented By
Michael Jones
Sara Tidd

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

11:00 AM

8:18-14425 Wallace Raymond Steffen, Jr

Chapter 11

#7.00

Hearing RE: Order Directing David Drechsler, Esq. Of Buckingham, Doolittle And Burroughs, LLC To Appear And Show Cause Why The Order Approving His Employment Should Not Be Rescinded
(Set per Order Entered 9/13/19)

Docket 102

***** VACATED *** REASON: OFF CALENDAR - ORDER RESCINDING
ORDER APPROVING EMPLOYMENT AND VACATING HEARING ON
ORDER TO SHOW CAUSE ENTERED 12-9-19 - (DOCKET NO. [119])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wallace Raymond Steffen Jr

Represented By
Anerio V Altman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

11:00 AM

8:18-14425 Wallace Raymond Steffen, Jr

Chapter 11

Adv#: 8:19-01107 Steffen v. Steffen, Jr.

#8.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Nondischargeability Of Debt
[11 U.S.C. Section 523(a)(4)]
(Complaint filed 6/4/19)

FR: 9-5-19; 9-12-19

Docket 1

***** VACATED *** REASON: CONTINUED TO MARCH 11, 2020 AT
10:00 A.M. PER ORDER APPROVING STIPULATION CONTINUING
STATUS CONFERENCE ENTERED 12-6-19 - (DOCKET NO. [15])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wallace Raymond Steffen Jr

Represented By
Anerio V Altman

Defendant(s):

Wallace Raymond Steffen Jr.

Represented By
Anerio V Altman

Plaintiff(s):

Linda Steffen

Represented By
Christopher J Langley

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

11:00 AM

8:19-12739 Maria Julia Higueros

Chapter 11

#9.00

Hearing RE: Disclosure Statement Describing Chapter 11 Plan Of
Reorganization
(D.S. filed 11/7/19)

Docket 39

Tentative Ruling:

Tentative for 12/19/19:

The Court has significant questions about the filed Disclosure Statement.

Appearances required.

Party Information

Debtor(s):

Maria Julia Higueros

Represented By
Giovanni Orantes
Luis A Solorzano

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

11:00 AM

8:19-12739 Maria Julia Higueros

Chapter 11

#10.00

Hearing RE: Order To Show Cause RE: Why Case Should Not Be Converted
To A Chapter 7 Or Chapter 13 Or To Be Dismissed
(OSC set per Order Entered 9-13-19)

Docket 29

Tentative Ruling:

Tentative for 12/19/19:

Appearances required.

Party Information

Debtor(s):

Maria Julia Higueros

Represented By
Giovanni Orantes
Luis A Solorzano

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

11:00 AM

8:19-12739 Maria Julia Higueros

Chapter 11

#11.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 7/15/19)

FR: 9-12-19

Docket 1

Tentative Ruling:

Tentative for 12/19/19:

Appearances required.

Tentative for 09/12/19 is to set the dates/deadlines, as follows:

1. The deadline to file a plan and disclosure statement - November 7, 2019. Debtor is to set the hearing date for approval of the disclosure statement as December 19, 2019. Debtor's proposed deadline is shortened by one day to allow for compliance with LBR 3017-1(a) (notice of a disclosure statement hearing requires 42 days). The failure to timely file a plan and/or disclosure statement may result in the dismissal or conversion of the case.

2. Continued status conference - December 19, 2019 at 11:00 a.m. A status report is due 14 days in advance.

Appearances required.

Debtor is to submit a scheduling order within seven (7) days.

Party Information

Debtor(s):

Maria Julia Higueros

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Thursday, December 19, 2019

Hearing Room 5C

11:00 AM

CONT...

Maria Julia Higueros

Giovanni Orantes
Luis A Solorzano

Chapter 11