

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 04, 2018

Hearing Room 1675

10:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#1.00 EVIDENTIARY HEARING RE: Motion for relief from stay
(U.S. Bank Trust N.A. VS Debtor)
fr. 9/26/17, 10/24/17, 11/7/17

Docket 79

Tentative Ruling:

Updated tentative ruling as of 1/3/18. On movant's claim under 11 U.S.C. 362(d)(2), it has met its burden of proof under 11 U.S.C. 362(g)(1) to demonstrate lack of equity in the subject property based on the stipulated value for the property. Debtor as the party opposing relief has the burden on the remaining issue of demonstrating under 11 U.S.C. 362(g)(2) and (d)(2) that the property is necessary to its effective reorganization, i.e., a confirmed reorganization plan is in reasonable prospect. Specifically, debtor must produce some evidence that its plan could be confirmed by a reasonable bankruptcy judge. In re Bonner Mall Partnership, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). Debtor's projected income based on its principal's consulting income of \$12,500 per month is not supported by any credible evidence for this projection. The demonstrated history in this case does not support the projection, and there is no credible explanation of how the income can be generated at that level to demonstrate plan feasibility under 11 U.S.C. 1129(a)(11). Debtor has not shown that it is likely to have at least one impaired class of claims to accept its plan under 11 U.S.C. 1129(a)(10) since there is no credible evidence indicating any creditor support for the plan (debtor's conclusory assertions are not evidence). Based on what has been submitted in the papers, the court is inclined to find that debtor has not met its burden of proof on the second prong of 11 U.S.C. 362(d)(2) that the property is necessary for its effective reorganization, i.e., that its plan could be confirmed by a reasonable bankruptcy judge and that the stay relief motion should be granted. Appearances are required on 1/4/18.

Prior tentative ruling as of 11/6/17. Appearances are required on 11/7/17, but counsel may appear by telephone.

No updated tentative ruling as of 10/24/17. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 04, 2018

Hearing Room 1675

10:00 AM

CONT... SK Vision LLC

Chapter 11

10/24/17, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set schedule of pretrial and trial proceedings. Appearances are required on 9/26/17 to discuss the parties' respective pretrial needs, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 04, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/24/ 7/26/17, 10/18/17, 12/13/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/3/18. No tentative ruling on the merits.
Appearances are required on 1/4/18, but counsel may appear by telephone.

Updated tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits.
Appearances are required on 10/18/17, but counsel may appear by
telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but
counsel may appear by telephone.

Prior tentative ruling as of 5/1/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
5/3/17, but counsel may appear by telephone.

No tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 04, 2018

Hearing Room 1675

11:00 AM

CONT... SK Vision LLC

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 04, 2018

Hearing Room 1675

1:30 PM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#3.00 Hearing re: Motion for order authorizing debtor and debtor in possession to use cash collateral

Docket 24

Tentative Ruling:

No tentative ruling will be issued for the motion heard on shortened notice. However, the motion as to the Internal Revenue Service appears to be resolved by stipulation and order, but not resolved as to the California Employment Development Department. Appearances are required on 1/4/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 04, 2018

Hearing Room 1675

1:30 PM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#4.00 Hearing re: Motion for order authorizing debtor and debtor in possession to pay
prepetition priority payroll

Docket 28

Tentative Ruling:

No tentative ruling will be issued for the motion heard on shortened notice.
Appearances are required on 1/4/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 04, 2018

Hearing Room 1675

2:00 PM

2:17-21721 Encinal Entertainment Group Inc.

Chapter 7

#5.00 Hearing re: Motion by witness Howard Fong to quash subpoena and/or protective order

Docket 17

Tentative Ruling:

The court is inclined to grant the nondebtor witness's motion for protective order unless creditor better explains that the objected to requests for documents falls within the scope of FRBP 2004(b), i.e., documents relating to transactions between the witness and nondebtor entities relate to the acts, conduct, or property, or to the liabilities and financial condition of the debtor, or to any matter which may affect the administration of debtor's estate (or debtor's right to a discharge, not applicable here). It is not clear why documents of the nondebtor parties for transactions before debtor was incorporated in October 2016 fall within the scope of FRBP 2004(b). Appearances are required on 1/4/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Encinal Entertainment Group Inc.

Represented By
Roland H Kedikian

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

2:15-22681 Melissa Sue Anderson

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Bungalow Series F Trust VS Debtor)

Docket 169

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition.

Deny request for stay relief under 11 U.S.C. 362(d)(2) and (g)(1) for lack of valuation evidence regarding the lack of equity of debtor in the subject property.

Deny requests for extraordinary relief in paragraphs 6, 8, 10, 11 and 14 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

The court notes that the numbering of the exhibits was inconsistent between numbers on page 4 and letters on page 6 and not all of the exhibits were separately tabbed under LBR 5005-2(d), including the trust deed assignments.

The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Appearances are required on 1/9/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Melissa Sue Anderson

Represented By
Renee E Sanders

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

CONT... Melissa Sue Anderson

Chapter 7

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

2:16-17064 Maria Virginia Marti

Chapter 7

#2.00 Cont'd hearing re: Motion for relief from stay
(U.S. Bank Trust N.A. VS Debtor)
fr. 11/28/17

Docket 60

Tentative Ruling:

No updated tentative ruling as of 1/8/18. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling. Deny motion for stay relief under 11 U.S.C. 362(d)(1) and (2) as movant fails to provide any evidence of valuation to meet its burden of showing debtors' lack of equity in the subject property under 11 U.S.C. 362(g)(1).

Deny motion for stay relief under 11 U.S.C. 362(d)(4) as movant fails to provide any evidence to support a basis for relief either multiple bankruptcy filings or unconsented to transfers. As alleged in paragraph 6 of the motion, the only evidence of an "unconsented to:" transfer was the 2004 grant deed transferring the title "to" debtors, not "from" them, which does not support any claim under 11 U.S.C. 362(d)(4) since among other things, this 2004 deed predates movant's 2006 trust deed.

Deny request for stay relief from the co-debtor stay of 11 U.S.C. 1201(a) or 1301(a) since the co-debtor stay does not exist in a Chapter 7 bankruptcy case such as this one, and so there is no co-debtor stay to obtain relief from.

Deny requests for extraordinary relief under paragraphs 8 and 10 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

The moving papers are so seriously deficient that it indicates a level of practice below what is expected of practitioners before this court and that either signing counsel did not sufficiently read, review and proofread these papers, or staff who prepared the papers for counsel is not sufficiently

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

CONT... Maria Virginia Marti
trained, or both.

Chapter 7

Appearances are required on 11/28/17.

Party Information

Debtor(s):

Maria Virginia Marti

Represented By
Anita Khachikyan

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#3.00 Cont'd hearing re: Motion for relief from stay
(Wells Fargo Bank, N.A. VS Debtor)
fr. 11/7/17, 12/19/17

Docket 56

***** VACATED *** REASON: Cont'd from 1/9/18 to 1/16/18 at 10:30 a.m.
per stip & order entered on 12/28/17-pj**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 1/16/18 at 10:30 a.m. No appearances are required on 1/9/18.

Party Information

Debtor(s):

Shapphire Resources, LLC

Represented By
Raymond H. Aver

Movant(s):

WELLS FARGO BANK, N.A.

Represented By
Todd S Garan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

2:17-21488 Elizabeth Annamaria Szkiba and James William Dowdy

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Wells Fargo Bank, N.A. VS Debtors)

Docket 23

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d) (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived.

Appearances are required on 1/9/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Elizabeth Annamaria Szkiba	Pro Se
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Joint Debtor(s):

James William Dowdy	Pro Se
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Trustee(s):

Brad D Krasnoff (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

2:17-22760 Samuel Jong You

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(BMW Bank of North America VS Debtor)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Samuel Jong You

Represented By
Joseph Collier

Movant(s):

BMW Bank of North America

Represented By
Bret D. Allen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

CONT... Samuel Jong You

Chapter 7

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

2:17-23126 Ralph Neal Davis

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Balboa Thrift & Loan, N.A. VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Ralph Neal Davis

Represented By
Desiree V Causey

Movant(s):

Balboa Thrift & Loan

Represented By
Keith E Herron

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

CONT... Ralph Neal Davis

Chapter 7

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

2:17-23152 Nicolaza Martinez

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(Wells Fargo Bank VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Nicolaza Martinez

Represented By
Daniel King

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

2:17-23595 Brenda Rodriguez

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(American Honda Finance Corporation, VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Brenda Rodriguez

Represented By
Steven B Lever

Movant(s):

AMERICAN HONDA FINANCE

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

CONT... Brenda Rodriguez

Vincent V Frounjian

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#9.00 Hearing re: Motion for relief from stay
(Emma Borges VS Debtor)

Docket 22

Tentative Ruling:

As clarified by the reply, movant only seeks at this time to obtain state court review to confirm the arbitration award. Based on permissive abstention considerations, the court should grant such stay relief for cause under 11 U.S.C. 362(d)(1) to allow further litigation in a nonbankruptcy forum since this is a related proceeding already commenced in a nonbankruptcy forum involving state law noncore claims in which state law issues predominate, movant's claims will need to be liquidated somewhere, and the claims apparently have been fully litigated in the nonbankruptcy arbitration proceedings subject to confirmation in state court. and it would be burdensome for this court to litigate such claims. In re Tucson Estates, Inc., 912 F.2d 1162, 1166-1170 (9th Cir. 1990). Debtor's concerns regarding enforcement of any arbitration award should be allayed by movant's representations in the reply that no other relief is being presently sought. No other relief will be granted at this time, including the requests for extraordinary relief. Appearances are required on 1/9/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

10:30 AM

2:17-24916 Dong Bae Cho

Chapter 7

#10.00 Hearing re: Motion for relief from stay
(Millwood Trust #1221, Mohammad Esmaili or Yong T. Kim as Trustee VS Debtor)

Docket 8

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Dong Bae Cho

Pro Se

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

1:30 PM

2:15-10768 Brian J Cook

Chapter 7

Adv#: 2:15-01544 Franowicz et al v. Cook et al

#11.00 Cont'd status conference re: Verified complaint for: (1) Declaratory relief;
(2) Retaliatory eviction (Cal. Civ. Code §1942.5(c) & Common Law); and
(3) Injunctive relief
fr. 1/26/16, 3/8/16, 8/2/16, 1/31/17, 7/11/17

Docket 1

***** VACATED *** REASON: Adv. dismissed per stip & order entered on
8/1/17; Closed on 8/28/17-mb.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brian J Cook

Represented By
Rex Tran

Defendant(s):

Brian Cook

Represented By
Rex Tran

Victoria Velasquez Cook

Represented By
Rex Tran

Interested Party(s):

Courtesy NEF

Represented By
Paul R Shankman
Theresa J Macellaro

Joint Debtor(s):

Victoria Velasquez Cook

Represented By
Andrew Goodman
Yi S Kim
Robert D Bass
Rex Tran

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

1:30 PM

CONT... Brian J Cook

Chapter 7

Plaintiff(s):

Edward Franowicz

Represented By
Brian Barouir Yeretzian
James Andrew Hinds Jr

Larissa Gallagher

Represented By
James Andrew Hinds Jr
Brian Barouir Yeretzian

Trustee(s):

Heide Kurtz

Represented By
Lei Lei Wang Ekvall

Heide Kurtz (TR)

Represented By
Lei Lei Wang Ekvall

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

1:30 PM

2:15-11554 Velocity Regional Center, LLC

Chapter 7

Adv#: 2:17-01122 Leslie v. Global Law Group Corporation

#12.00 Cont'd status conference re: Complaint for: (1) avoidance of voidable transfers; and (2) recovery of avoided transfers [11 U.S.C. §§ 544 and 550] fr. 4/4/17, 6/6/17, 8/15/17, 10/17/17

Docket 1

***** VACATED *** REASON: Notice of dismissal of adv. proceeding filed on 12/22/17-pj.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Velocity Regional Center, LLC

Represented By
Stephen B Mashney
Jerome D Stark

Defendant(s):

Global Law Group Corporation

Pro Se

Plaintiff(s):

Sam Leslie

Represented By
Carmela Pagay

Trustee(s):

Sam S Leslie (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

1:30 PM

2:15-11554 Velocity Regional Center, LLC

Chapter 7

Adv#: 2:17-01128 Leslie v. Edward C. Lee, CPA

#13.00 Cont'd status conference re: Complaint for: (1) avoidance of voidable transfers; and (2) recovery of avoided transfers [11 U.S.C. §§ 544 and 550] fr. 6/27/17, 8/15/17, 10/17/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/8/18. Off calendar. Continued by stipulation and order to 2/20/18 at 1:30 p.m. No appearances are required on 1/9/18.

Prior tentative ruling as of 10/16/17. Off calendar. Continued by stipulation and order to 1/9/18 at 1:30 p.m. No appearances are required on 10/17/17.

Updated tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report stating that the matter is in the process of being resolved and continues the status conference on its own motion to 6/27/17 at 1:30 p.m. Plaintiff to notify defendant of the continuance. No appearances are required on 4/4/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Velocity Regional Center, LLC

Represented By
Stephen B Mashney
Jerome D Stark

Defendant(s):

Edward C. Lee, CPA

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

1:30 PM

CONT... Velocity Regional Center, LLC

Chapter 7

Plaintiff(s):

Sam Leslie

Represented By
Carmela Pagay

Trustee(s):

Sam S Leslie (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

1:30 PM

2:16-18163 Anthony Curtis Wells
Adv#: 2:17-01519 Wells v. Diamond

Chapter 7

#14.00 Status conference re: Adversary complaint for injunctive relief and imposition of stay of the listing and marketing of real property for sale pending the decision of court of appeal, Second District, in Dumas v. Wells, 2nd Civil No. B270159

Docket 1

***** VACATED *** REASON: Another summons issued on 11/29/17, S/C
reset to 1/30/18 at 1:30 p.m.-mb.**

Tentative Ruling:

Off calendar. Status conference reset for 1/30/18 at 1:30 p.m. based on issuance of another summons. No appearances are required on 1/9/18.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Richard K Diamond

Pro Se

Plaintiff(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest
John Clark Brown Jr

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

1:30 PM

2:17-15334 Jesse Beltran and Silvia Godoy

Chapter 7

#15.00 Cont'd status conference re: Debtor's motion to convert case under 11 U.S.C. §§706(a) or 1112(a)
fr. 8/8/17, 9/22/17, 11/7/17

Docket 16

***** VACATED *** REASON: Matter vacated per order entered on
12/14/17-mb.**

Tentative Ruling:

Off calendar. Matter vacated by order entered on 12/14/17. No appearances are necessary.

Party Information

Debtor(s):

Jesse Beltran

Represented By
Michael Salanick

Joint Debtor(s):

Silvia Godoy

Represented By
Michael Salanick

Trustee(s):

Wesley H Avery (TR)

Represented By
David M Goodrich

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

1:30 PM

2:17-19185 Cascada Arroyo Corp

Chapter 7

Adv#: 2:17-01515 Avery v. Uzquiano et al

#16.00 Status conference re: Complaint for: (1) Breach of contract; (2) Turnover of property of the estate; (3) Injunctive and declaratory relief; and (4) Accounting

Docket 1

***** VACATED *** REASON: Notice of voluntary dismissal on adv. proceeding filed on 11/21/17; Closed on 12/21/17-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding voluntarily dismissed by notice filed on 11/21/17. No appearances are necessary.

Party Information

Debtor(s):

Cascada Arroyo Corp	Pro Se
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Defendant(s):

Violeta Uzquiano	Pro Se
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Karen Martinez	Pro Se
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Roman Morales	Pro Se
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Joel Morales	Pro Se
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Alberta Garcia	Pro Se
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Panfilo Gonzales	Pro Se
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Jessica Vidal	Pro Se
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Ricardo Marin	Pro Se
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Miguel Hernandez	Pro Se
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John Diego Risso	Pro Se
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Maria Elena San	Pro Se
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Johnny Uzquiano	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

1:30 PM

CONT... Cascada Arroyo Corp

Chapter 7

Plaintiff(s):

Wesley H Avery

Represented By
Timothy J Yoo
Carmela Pagay

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01521 GRAND VIEW FINANCIAL, LLC v. WELLS FARGO BANK, N.A. et al

#17.00 Status conference re: Complaint for: (1) declaratory relief regarding title to real property; and (2) turnover of real property

Docket 1

***** VACATED *** REASON: Another summons issued on 12/28/17, S/C
reset to 2/27/18 at 1:30 p.m.- pj**

Tentative Ruling:

Off calendar. Status conference reset for 2/27/18 at 1:30 p.m. based on issuance of another summons on plaintiff's amended complaint. No appearances are required on 1/9/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith

Defendant(s):

WERKING, INC.

Pro Se

CLEAR RECON CORP.

Pro Se

WELLS FARGO BANK, N.A.

Pro Se

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

1:30 PM

2:17-20350 Carlos Guerrero, Jr.

Chapter 7

Adv#: 2:17-01518 Mercedes-Benz Financial Services USA, LLC dba Daim v. Guerrero, Jr.

#18.00 Status conference re: Complaint to determine dischargeability of debt pursuant to 11 U.S.C. §523(a)(3)(A)

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status report, and in light of default being entered against defendant, the court on its own motion continues the status conference to 4/17/18 at 1:30 p.m. to allow time for plaintiff to prepare and file its motion for default judgment. No appearances are required on 1/9/18.

Party Information

Debtor(s):

Carlos Guerrero Jr.

Represented By
Omar Zambrano

Defendant(s):

Carlos Guerrero Jr.

Pro Se

Plaintiff(s):

Mercedes-Benz Financial Services

Represented By
John H Kim

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

2:13-39318 Armen Sanamyan

Chapter 7

#19.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Howard M. Ehrenberg, Chapter 7 Trustee]

Docket 92

Tentative Ruling:

No tentative ruling in light of objection of creditor Armen T. Tashjian. Appearances are required on 1/9/18 to discuss scheduling of an evidentiary hearing on the objection and on the fee application of creditor Tashjian, which trustee has objected to, but counsel may appear by telephone. Creditor Tashjian will have to give proper notice of his fee application, or otherwise, the court will disapprove his fee application for lack of notice.

Party Information

Debtor(s):

Armen Sanamyan

Represented By
John Habashy

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jessica Vogel
Steven Werth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

2:13-39318 Armen Sanamyan

Chapter 7

#20.00 Hearing re: Application for fees and expenses
[SulmeyerKupetz, Attorney for Chapter 7 Trustee]

Docket 90

Tentative Ruling:

No tentative ruling in light of objection of creditor Armen T. Tashjian. Appearances are required on 1/9/18 to discuss scheduling of an evidentiary hearing on the objection and on the fee application of creditor Tashjian, which trustee has objected to, but counsel may appear by telephone. Creditor Tashjian will have to give proper notice of his fee application, or otherwise, the court will disapprove his fee application for lack of notice.

Party Information

Debtor(s):

Armen Sanamyan

Represented By
John Habashy

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jessica Vogel
Steven Werth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

2:13-39318 Armen Sanamyan

Chapter 7

#21.00 Hearing re: Application for fees and expenses
[Menchaca & Company LLP, Accountant for Chapter 7 Trustee]

Docket 85

Tentative Ruling:

No tentative ruling in light of objection of creditor Armen T. Tashjian. Appearances are required on 1/9/18 to discuss scheduling of an evidentiary hearing on the objection and on the fee application of creditor Tashjian, which trustee has objected to, but counsel may appear by telephone. Creditor Tashjian will have to give proper notice of his fee application, or otherwise, the court will disapprove his fee application for lack of notice.

Party Information

Debtor(s):

Armen Sanamyan

Represented By
John Habashy

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jessica Vogel
Steven Werth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

2:14-24463 Joseph Ellison

Chapter 7

#22.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Brad D. Krasnoff, Chapter 7 Trustee]

Docket 57

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 1/9/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Joseph Ellison

Represented By
David S Hagen

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

2:14-24463 Joseph Ellison

Chapter 7

#23.00 Hearing re: Application for fees and expenses
[Menchaca & Company LLP, Accountant for Chapter 7 Trustee]

Docket 55

Tentative Ruling:

Approve final fee application of accountants for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 1/9/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Joseph Ellison

Represented By
David S Hagen

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

2:15-18338 Phoenix Home Restorations LLC

Chapter 7

#24.00 Hearing re: Motion to Approve Settlement agreement pursuant to Federal Rule of Bankruptcy procedure 9019

Docket 192

Tentative Ruling:

Assuming all parties have signed the settlement agreement (the moving papers did not contain an authorized signature for the Center parties), grant trustee's motion to approve settlement for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 1/9/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Phoenix Home Restorations LLC	Pro Se
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Movant(s):

Wesley H Avery (TR)	Represented By Robert M Aronson
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Trustee(s):

Wesley H Avery (TR)	Represented By Robert M Aronson
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

Adv#: 2:16-01037 Avery v. Gonzalez

#25.00 Hearing re: Motion to amend answer to trustee's complaint and a counter claim against Discover, Unify fka Western Federal Credit Union, Anerio Altman, trustee Wesley Avery, and Cal American Homes Jesse Rodriguez and Aaron Juarez be allowed, request for additional discover

Docket 82

Tentative Ruling:

No tentative ruling as of 1/8/18. Appearances are required on 1/9/18.

Party Information

Debtor(s):

Arturo Gonzalez Pro Se

Defendant(s):

Arturo Gonzalez Pro Se

Plaintiff(s):

Wesley H. Avery Represented By
Brett B Curlee

Trustee(s):

Wesley H Avery (TR) Represented By
Brett B Curlee
Marc Weitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

2:17-11797 Jay Yoon

Chapter 7

Adv#: 2:17-01281 Lavitex, Inc. v. Yoon

#26.00 Cont'd status conference re: Plaintiff's complaint to determine nondischargeability of debt and objections to discharge fr. 7/25/17, 10/24/17, 11/28/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed defendant's status report, but notes that plaintiff was not part of the status report. Defendant untimely served his answer, but default had not yet been entered. Plaintiff to address whether it objects to the filing of the answer and defendant defending in this matter since plaintiff indicated at the status conference on 7/25/17 that it intended to resubmit a request for entry of default. Appearances are required on 10/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. Appearances are required on 7/25/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Jay Yoon

Represented By
Young K Chang

Defendant(s):

Jay Yoon

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

CONT... Jay Yoon

Chapter 7

Plaintiff(s):

Lavitex, Inc.

Represented By
K Tom Kohan

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

2:17-14979 Meri Lee Schelby

Chapter 7

#27.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Brad D. Krasnoff, Chapter 7 Trustee]

Docket 23

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 1/9/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Meri Lee Schelby

Represented By
Daniel King

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

2:17-20341 Moises A Garcia Bastida and Carolina Beatris Garcia

Chapter 7

#28.00 Hearing re: Motion under 11 U.S.C. §110 for fines and/or disgorgement of fees against bankruptcy petition preparer Maria Alexander Ramirez, Maria Hernandez, and Latino Multi Services

Docket 15

Tentative Ruling:

Based on the opposing and reply papers, it appears that the parties agree that respondent bankruptcy petition preparer should be fined a total of \$500 for one violation of 11 U.S.C. 110 and should disgorge \$250 of fees of \$300 paid to her by debtor. The court is inclined to approve this resolution of the motion if both parties agree. Appearances are required on 1/9/18.

Party Information

Debtor(s):

Moises A Garcia Bastida	Pro Se
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Joint Debtor(s):

Carolina Beatris Garcia	Pro Se
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Trustee(s):

David M Goodrich (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

2:17-20482 Jasmine Lepe

Chapter 7

#29.00 Hearing re: Motion for damages and sanctions against Wells Fargo Bank for repeatedly, willfully and intentionally violating the automatic stay

Docket 26

Tentative Ruling:

Deny motion for sanctions on grounds that debtor lacks standing to sue for stay violations in a Chapter 7 bankruptcy case since only the Chapter 7 trustee has standing to assert violations of stay as to estate property, such as the subject vehicle. In re Mwangi, 764 F.3d 1168, 1171 (9th Cir. 2014), cited with approval in, In re Perry, 2017 WL 1276075 (C.D. Cal. 2017).
Appearances are required on 1/9/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Jasmine Lepe

Pro Se

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

2:17-25526 Manuel V Estrada-Sandoval

Chapter 7

#29.10 Hearing re: Application to have the chapter 7 filing fee waived

Docket 6

***** VACATED *** REASON: Granted per order entered on 1/4/18-mb.**

Tentative Ruling:

Off calendar. Application granted by order entered on 1/4/18. No appearances are necessary.

Party Information

Debtor(s):

Manuel V Estrada-Sandoval	Pro Se
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Trustee(s):

Howard M Ehrenberg (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

2:30 PM

2:17-25525 Dina Maritza Posada

Chapter 7

#29.20 Hearing re: Application to have the chapter 7 filing fee waived

Docket 6

***** VACATED *** REASON: Granted per order entered on 1/4/18-mb.**

Tentative Ruling:

Off calendar. Application granted by order entered on 1/4/18. No appearances are necessary.

Party Information

Debtor(s):

Dina Maritza Posada

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

3:00 PM

2:16-10351 Donald Martinez

Chapter 7

#30.00 Cont'd hearing re: Application by chapter 7 trustee to employ Neiman Realty as Real Estate Broker
fr. 8/29/17, 10/3/17

Docket 45

Tentative Ruling:

Updated tentative ruling as of 1/8/18. Off calendar. Continued by stipulation and order to 2/6/18 at 2:30 p.m. No appearances are required on 1/9/18.

No updated tentative ruling as of 10/2/17. Appearances are required on 10/3/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

No tentative ruling as of 8/28/17. Appearances are required on 8/29/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Donald Martinez

Represented By
Edgar P Lombera

Trustee(s):

John J Menchaca (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

3:00 PM

2:16-10351 Donald Martinez

Chapter 7

#31.00 Cont'd hearing re: Motion to compel abandonment
fr. 8/29/17, 10/3/17

Docket 47

Tentative Ruling:

Updated tentative ruling as of 1/8/18. Off calendar. Continued by stipulation and order to 2/6/18 at 2:30 p.m. No appearances are required on 1/9/18.

Prior tentative ruling as of 10/2/17. Appearances are required on 10/3/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

No tentative ruling as of 8/28/17. Appearances are required on 8/29/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Donald Martinez

Represented By
Edgar P Lombera

Trustee(s):

John J Menchaca (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

3:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#32.00 Cont'd hearing re: Motion to value collateral supporting claim 7-1
[11 U.S.C. §506(a), FRBP 3012]
fr. 11/2/17, 11/29/17, 12/14/17

Docket 223

Tentative Ruling:

Updated tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by
telephone.

Prior tentative ruling. Based on the stipulation and order entered on
10/26/17, the hearing on 11/2/17 will be treated as a status conference.
Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

3:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#33.00 Cont'd hearing re: Motion to modify plan
fr. 11/2/16, 11/29/17, 12/14/17

Docket 263

Tentative Ruling:

Updated tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by
telephone.

Prior tentative ruling. Based on the stipulation and order entered on
10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and
11/3/17 and the related motion to modify plan set for 11/2/17 at 9:00 a.m. will
be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m.
Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

3:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#34.00 Cont'd status conference re: Confirmation of plan
fr. 11/2/17, 11/29/17, 12/14/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by
telephone.

Prior tentative ruling. Based on the stipulation and order entered on
10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and
11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at
9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by
telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

3:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#35.00 Cont'd status conference re: Management of chapter 11 case
fr. 11/2/17, 11/29/17, 12/14/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by
telephone.

Prior tentative ruling as of 10/30/17. No tentative ruling on the merits.
Appearances are required on 11/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.
Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

3:00 PM

CONT... Swing House Rehearsal and Recording, Inc.

Chapter 11

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

3:00 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

#36.00 Cont'd status conference re: Management of chapter 11 case
fr. 11/8/17, 12/6/17, 12/14/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits.
Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/17. No tentative ruling on the merits.
Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.
Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

3:00 PM

CONT... Philip Joseph Jaurigui

Chapter 11

Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

3:00 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

Adv#: 2:17-01245 7175 WB, LLC v. Jaurigui

#37.00 Cont'd status conference re: Complaint to determine nondischargeability of debt
(11 U.S.C. §§523(a)(2) and (a)(6))
fr. 11/8/17, 11/29/17, 12/14/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by
telephone.

Updated tentative ruling as of 11/6/17. No tentative ruling on the merits.
Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No
tentative ruling on the merits. Appearances are required on 6/27/17, but
counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

3:00 PM

CONT... Philip Joseph Jaurigui

Chapter 11

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

7175 WB, LLC

Represented By
Michael D Good

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 09, 2018

Hearing Room 1675

3:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01521 GRAND VIEW FINANCIAL, LLC v. WELLS FARGO BANK, N.A. et al

#38.00 Hearing re: Motion to dismiss complaint for failure to state a claim upon which relief can be granted or, in the alternative, for summary judgment

Docket 6

Tentative Ruling:

Off calendar. Because plaintiff amended its complaint as a matter of course in response to defendant's motion to dismiss under FRBP 7012 and FRCP 12 (b) within the 21 day service period as extended by FRBP 9006(a)(1), this moots defendant's motion to dismiss the original complaint. No appearances are required on 1/9/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith

Defendant(s):

WELLS FARGO BANK, N.A.

Pro Se

CLEAR RECON CORP.

Represented By
Todd S Garan

WERKING, INC.

Pro Se

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

10:00 AM

2:17-15007 Eugen Valentin Dietl

Chapter 11

#1.00 EVIDENTIARY RE: First interim application by Simon Resnik Hayes LLP, general bankruptcy counsel for the debtor, for allowance of fees and reimbursement of costs for the period April 24, 2017 through September 1, 2017 fr. 10/18/17, 10/25/17, 12/6/17

Docket 59

Tentative Ruling:

Updated tentative ruling as of 1/8/18. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 1/10/18.

Prior tentative ruling as of 12/4/17. The court has reviewed debtor's opposition to the application filed on 11/30/17 and applicant's notice of failure to comply with scheduling order in response thereto filed on 12/1/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone. The court is not inclined to strike the opposition as untimely and grant the interim application in full at this time because the court should allow some latitude to debtor who is now self-represented and anyway, the application is only interim subject to final review in the future. The court believes that the dispute between the parties may as well be resolved now. Applicant will need to address the objections of debtor to specific billing entries on the fee application, which objections were filed on 11/30/17, and the court will schedule an evidentiary hearing in the future to go over the objections, of which some appear to be meritorious. If applicant believes that it is prejudiced by the late filing, the court will give it additional time to respond and prepare for the evidentiary hearing.

Updated tentative ruling as of 10/23/17. The court is inclined to approve the first interim fee application of counsel for debtor-in-possession for the reasons stated in the fee application and for lack of timely written objection. Debtor has filed no written objection to the motion, but the court will hear any oral objection of debtor at the hearing since he is effectively representing himself at this hearing and counsel in his supplemental declaration indicated that debtor verbalized concerns about attorneys' fees incurred in this case.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

10:00 AM

CONT... Eugen Valentin Dietl

Chapter 11

Appearances are required on 10/25/17.

Prior tentative ruling. The application is procedurally deficient. First, the application may not be considered as a final fee application since a plan has not been confirmed in this Chapter 11 case or there is some other final disposition of the case. Fees may not be awarded on a final basis at this time. Second, since the application seeks immediate payment of fees, applicant has not provided any information about whether there are funds in the bankruptcy estate to pay the requested fees. Third, there is no filed declaration regarding client review of the application as required by LBR 2016-1(a)(1)(J). Appearances are required on 10/18/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Eugen Valentin Dietl

Represented By
Matthew D Resnik
Roksana D. Moradi

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#2.00 Cont'd hearing re: Application for payment of interim fees and/or expenses for Khang & Khang LLP, debtor's attorney
fr. 11/29/17, 12/6/17

Docket 161

Tentative Ruling:

Updated tentative ruling as of 1/8/18. Approve first interim fee application of general bankruptcy counsel for debtor in possession for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 1/10/18, but applicant may appear by telephone. Applicant to submit a proposed order within 7 days of hearing.

Prior tentative ruling. The fee application will have to be revised because the court cannot evaluate the reasonableness of the services rendered under 11 U.S.C. 330 because numerous billing entries have multiple services listed, which is considered "lumping" of services and not permitted (e.g., billing entries for 3/6/17 of 3.4 hours lists 7 different tasks aggregated together). The court can only evaluate the reasonableness of fees for a particular task, not multiple tasks lumped together. Appearances are required on 12/5/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#3.00 Cont'd hearing re: Motion to use cash collateral stipulation with Pacific City Bank
fr. 12/13/17

Docket 37

Tentative Ruling:

Updated tentative ruling as of 1/8/18. The court is inclined to approve the cash collateral stipulation for the reasons stated in the moving papers and for lack of timely written objection. Movant needs to clarify that which secured creditor, Prime Business Credit, Inc., or Pacific City Bank, has greater priority on its superpriority claim since the cash collateral stipulations are conflicting since each gives the one creditor a superpriority over all other claims, including the other creditor's superpriority claim. Appearances are required on 1/10/18, but counsel may appear by telephone.

Prior tentative ruling. Service of motion to approve cash collateral stipulation is deficient because movant did not serve the 20 largest unsecured creditors pursuant to FRBP 4001(d)(1)(C) and 1007(d). Continue hearing for movant to give notice to these creditors as well. Appearances are required on 12/13/17, but counsel may appear by telephone.

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#4.00 Cont'd hearing re: Motion to use cash collateral stipulation with Prime Business Credit, Inc.
fr. 12/13/17

Docket 40

Tentative Ruling:

Updated tentative ruling as of 1/8/18. The court is inclined to approve the cash collateral stipulation for the reasons stated in the moving papers and for lack of timely written objection. Movant needs to clarify that which secured creditor, Prime Business Credit, Inc., or Pacific City Bank, has greater priority on its superpriority claim since the cash collateral stipulations are conflicting since each gives the one creditor a superpriority over all other claims, including the other creditor's superpriority claim. Appearances are required on 1/10/18, but counsel may appear by telephone.

Prior tentative ruling. Service of motion to approve cash collateral stipulation is deficient because movant did not serve the 20 largest unsecured creditors pursuant to FRBP 4001(d)(1)(C) and 1007(d). Continue hearing for movant to give notice to these creditors as well. Appearances are required on 12/13/17, but counsel may appear by telephone.

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

Movant(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

11:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#5.00 Status conference re: Management of chapter 11 case

Docket 1

***** VACATED *** REASON: Cont'd from 1/10/18 to 1/17/18 at 11:30 a.m.
per order entered on 12/28/17-pj**

Tentative Ruling:

Off calendar. Continued to 1/17/18 at 11:30 a.m. by order entered on 12/28/17. No appearances are required on 1/10/18.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
David B Golubchik
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

11:00 AM

2:17-24288 Yong Xin Investment Group, LLC

Chapter 11

#6.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. The proposed claims bar date and notice dates proposed in the status report are satisfactory. Because debtor indicated on the petition that this is a single asset real estate case, debtor should advise the court whether it will be asking the court for an extension of the 90 day deadline for filing a plan or commencing adequate protection payments to avoid stay relief under 11 U.S.C. 362(d)(3) for a creditor whose claim is secured by the real estate. Appearances are required on 1/10/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Yong Xin Investment Group, LLC

Represented By
James S Yan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

11:30 AM

2:11-53086 Derrick Darone Lightfoot

Chapter 11

#7.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 10/5/16, 10/26/16, 5/10/17

Docket 124

Tentative Ruling:

Updated tentative ruling as of 1/8/18. The court has reviewed debtor's status report. Appearances are required on 1/10/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website). The court will ask debtor to explain his comments that certain creditors are no longer accepting plan payments (i.e., how does he know that?).

Prior tentative ruling as of 5/5/17. The court has reviewed debtor's status report. Appearances are required on 5/10/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Prior tentative ruling as of 10/24/16. Appearances are required on 10/26/16.

No updated tentative ruling as of 10/3/16. Appearances are required on 10/5/16.

Prior tentative ruling as of 4/4/16. The court has reviewed debtor's postconfirmation payment status reports. No tentative ruling on the merits. Appearances are required on 4/6/16.

Updated tentative ruling as of 2/22/16. No tentative ruling on the merits. Appearances are required on 2/24/16, but counsel may appear by telephone.

Prior tentative ruling as of 1/15/16. Appearances are required on 1/20/16, but counsel may appear by telephone.

Prior updated tentative ruling as of 12/14/15. Appearances are required on 12/16/15, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

11:30 AM

CONT... Derrick Darone Lightfoot

Chapter 11

No updated tentative ruling as of 11/23/15. Appearances are required on 11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 10/19/15. Appearances are required on 10/21/15, but counsel may appear by telephone.

No updated tentative ruling as of 10/5/15. Appearances are required on 10/7/15, but counsel may appear by telephone.

No updated tentative ruling as of 9/8/15. Appearances are required on 9/9/15, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/15. No tentative ruling on the merits. Appearances are required on 5/27/15, but counsel may appear by telephone.

Prior tentative ruling as of 5/18/15. No tentative ruling on the merits. Appearances are required on 5/20/15, but counsel may appear by telephone.

Prior tentative ruling as of 4/28/15. The court has reviewed the debtor's post-confirmation status report. The status conference will be conducted at the same time as the hearing on the motion of United States Trustee to dismiss or convert on the 11:30 a.m. calendar. Appearances are required on 4/29/15, but counsel and debtor may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 2/17/15. The court has reviewed the unilateral status reports of debtor and United States Trustee. Appearances are required on 2/18/15, but counsel and debtor may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 12/15/14. The court has reviewed debtor's status report. Appearances are required on 12/17/14, but counsel and debtor representing himself may appear by telephone.

Prior tentative ruling as of 10/21/14. The court has reviewed debtor's status report. Appearances are required on 10/22/14, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

11:30 AM

CONT... **Derrick Darone Lightfoot**
telephone.

Chapter 11

Prior tentative ruling as of 5/27/14. The court has reviewed debtor's status report and the United States Trustee's report that debtor is not current with UST quarterly fees. No tentative ruling. Appearances are required on 5/28/14 to discuss status and UST fee delinquency, but counsel may appear by telephone.

NOTE: Due to the judge's commitment as chair of a court committee meeting at noon, the hearing may be carried over to the afternoon or rescheduled if the hearing is not concluded by noon.

Prior tentative ruling as of 3/24/14. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 3/26/14, but counsel may appear by telephone.

Updated tentative ruling as of 1/27/14. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 1/29/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

Party Information

Debtor(s):

Derrick Darone Lightfoot

Represented By
Sylvia Lew

Movant(s):

Derrick Darone Lightfoot

Represented By
Sylvia Lew

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

11:30 AM

2:12-15652 Dale Alfred Williams

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/5/17, 9/13/17, 10/25/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/8/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 2/28/18 at 11:30 a.m. No appearances are required on 1/10/18.

Prior tentative ruling as of 9/11/17. Off calendar. In light of the pending motion of the United States Trustee to dismiss or convert now set for hearing on 10/25/17 at 11:30 a.m., the court on its own motion continues the status conference to 10/25/17 at 11:30 a.m. No appearances are required on 9/13/17.

Prior tentative ruling as of 4/3/17. Off calendar. In light of the pendency of the litigation proceedings involving debtor's objection to the tax claims, the court on its own motion continues the status conference to 9/13/17 at 11:00 a.m. No appearances are required on 4/5/17.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/15/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. The court has reviewed reorganized

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

11:30 AM

CONT... Dale Alfred Williams

Chapter 11

debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/16/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/9/15. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of litigation disputes of debtor's objection to the IRS claim and creditor Rory Williams's motion to file late-filed claim. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of debtor's objection to the IRS claim. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 8/25/14. Appearances are required on 8/27/14 to schedule a post-confirmation status conference, but counsel may appear by telephone.

Prior tentative ruling. The court continues on its own motion the status conference to 8/27/14 at 11:00 a.m. at which time the court will set a post-confirmation status conference in November 2014 since a post-confirmation status conference was not set at the confirmation hearing on 7/24/14. No appearances are required on 8/21/14

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

11:30 AM

CONT... Dale Alfred Williams

Chapter 11

Debtor(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

Movant(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

2:00 PM

2:11-53845 C & M Russell, LLC

Chapter 11

Adv#: 2:16-01577 Evans v. Tippie et al

#9.00 Hearing re: Motion for judgment on the pleadings

Docket 50

Tentative Ruling:

No tentative ruling as of 1/8/18. Appearances are required on 1/10/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

C & M Russell, LLC

Represented By
Alan G Tippie
Elizabeth Jiang

Defendant(s):

Alan G. Tippie

Represented By
Steven Werth
David J Richardson

SulmeyerKupetz, a Professional

Represented By
David J Richardson

Plaintiff(s):

Mattie Belinda Evans

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

2:00 PM

2:11-53845 C & M Russell, LLC

Chapter 11

Adv#: 2:16-01577 Evans v. Tippie et al

#10.00 Hearing re: Defendants' Motion for Summary Judgment on Complaint for Damages for: 1. Legal Malpractice; 2. Intentional and Negligent Misrepresentation; 3. Breach of the Implied Covenant of Good Faith and Fair Dealings; 4. Breach of Fiduciary Duty; 5. Civil Conspiracy; 6. Racism; 7. Fraud & Fraudulent Inducement; 8. Intentional and Negligent Infliction of Emotional Distress

Docket 56

Tentative Ruling:

No tentative ruling as of 1/8/18. Appearances are required on 1/10/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

C & M Russell, LLC

Represented By
Alan G Tippie
Elizabeth Jiang

Defendant(s):

SulmeyerKupetz, a Professional

Represented By
David J Richardson

Alan G. Tippie

Represented By
Steven Werth
David J Richardson

Plaintiff(s):

Mattie Belinda Evans

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 10, 2018

Hearing Room 1675

2:00 PM

2:11-53845 C & M Russell, LLC

Chapter 11

Adv#: 2:16-01577 Evans v. Tippie

#11.00 Cont'd status conference re: Notice of removal of action to United States Bankruptcy Court pursuant to 28 U.S.C. §1452(a) fr. 1/31/17, 10/31/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/10/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Updated tentative ruling as of 10/30/17. No tentative ruling on the merits. Appearances are required on 10/31/17 to discuss scheduling of further proceedings, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

No tentative ruling as of 1/30/17. Appearances are required on 1/31/17.

Party Information

Debtor(s):

C & M Russell, LLC

Represented By
Alan G Tippie
Elizabeth Jiang

Defendant(s):

Alan G. Tippie

Represented By
Steven Werth
David J Richardson

Plaintiff(s):

Mattie Belinda Evans

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 11, 2018

Hearing Room 1675

9:00 AM

2:15-25283 Arturo Gonzalez

Chapter 7

Adv#: 2:16-01037 Avery v. Gonzalez

#1.00 TRIAL RE: Complaint for (1) Turnover of bankruptcy estate property under 11 U.S.C. §542(a); (2) Temporary injunction, preliminary and permanent injunction; (3) Declaratory relief; (4) Constructive trust; (5) Conversion; (6) Revocation of discharge for discharge for fraud under 11 U.S.C. §727(d)(1); and, (7) Revocation of discharge for fraudulent acquisition of estate assets under 11 U.S.C. §727(d)(2) fr. 2/21/17, 8/17/17, 10/17/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/8/18. No tentative ruling will be issued for trial. Appearances are required on 1/11/18.

Prior tentative ruling as of 10/11/17. No tentative ruling will be issued for trial. Appearances are required on 10/19/17.

Prior tentative ruling as of 2/17/17. No tentative ruling on the merits. Appearances are required on 2/21/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/30/17. No tentative ruling on the merits. Appearances are required on 1/31/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. The court has reviewed the joint status report. No tentative ruling on the merits. The court notes that a substitution of attorney was filed on 11/6/16 that defendant is now self-represented. Appearances are required on 11/15/16.

Prior tentative ruling as of 8/15/16. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 8/17/16.

Prior tentative ruling as of 7/12/16. Appearances are required on 7/15/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 11, 2018

Hearing Room 1675

9:00 AM

CONT... Arturo Gonzalez

Chapter 7

Prior tentative ruling. The status conference will be conducted with the hearing on debtor's motion to convert in the main bankruptcy case scheduled for 3:00 p.m. No tentative ruling on the merits. Appearances are required on the 3:00 p.m. calendar, not the 1:30 p.m. calendar.

Party Information

Debtor(s):

Arturo Gonzalez

Represented By
Anerio V Altman

Defendant(s):

Arturo Gonzalez

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
Brett B Curlee

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee

Wesley H Avery (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, January 12, 2018

Hearing Room 1675

9:00 AM

2:15-25283 Arturo Gonzalez

Chapter 7

Adv#: 2:16-01037 Avery v. Gonzalez

#1.00 CONT'D TRIAL RE: Complaint for (1) Turnover of bankruptcy estate property under 11 U.S.C. §542(a); (2) Temporary injunction, preliminary and permanent injunction; (3) Declaratory relief; (4) Constructive trust; (5) Conversion; (6) Revocation of discharge for discharge for fraud under 11 U.S.C. §727(d)(1); and, (7) Revocation of discharge for fraudulent acquisition of estate assets under 11 U.S.C. §727(d)(2) fr. 8/17/17, 10/17/17, 10/19/17, 1/11/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/8/18. No tentative ruling will be issued for trial. Appearances are required on 1/12/18 if trial is not completed on 1/11/18.

Updated tentative ruling as of 10/11/17. No tentative ruling will be issued for trial. Appearances are required on 10/20/17 if trial is not concluded on 10/19/17.

Prior tentative ruling as of 2/17/17. No tentative ruling on the merits. Appearances are required on 2/21/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/30/17. No tentative ruling on the merits. Appearances are required on 1/31/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. The court has reviewed the joint status report. No tentative ruling on the merits. The court notes that a substitution of attorney was filed on 11/6/16 that defendant is now self-represented. Appearances are required on 11/15/16.

Prior tentative ruling as of 8/15/16. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 8/17/16.

Prior tentative ruling as of 7/12/16. Appearances are required on 7/15/16, but

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, January 12, 2018

Hearing Room 1675

9:00 AM

CONT... **Arturo Gonzalez**
counsel may appear by telephone.

Chapter 7

Prior tentative ruling. The status conference will be conducted with the hearing on debtor's motion to convert in the main bankruptcy case scheduled for 3:00 p.m. No tentative ruling on the merits. Appearances are required on the 3:00 p.m. calendar, not the 1:30 p.m. calendar.

Party Information

Debtor(s):

Arturo Gonzalez

Represented By
Anerio V Altman

Defendant(s):

Arturo Gonzalez

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
Brett B Curlee

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee

Wesley H Avery (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

10:30 AM

2:17-22598 Jaime Estrada

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Morgan Picks Two, LLC VS Debtor)

Docket 20

Tentative Ruling:

Because debtor had two prior bankruptcy cases pending within the year of filing of this case, which were dismissed, it appears that no automatic stay arose when the case was filed pursuant to 11 U.S.C. 362(c)(4) and that no automatic stay is in place because debtor has not filed a motion to impose the automatic stay under 11 U.S.C. 362(c)(4). Thus, relief should be granted to confirm that there was and is no automatic stay in effect because of 11 U.S.C. 362(c)(4), and there is no need to rule upon movant's claims under 11 U.S.C. 362(d)(1) and (2) or for annulment of stay, and the court will not grant those claims or requests. Deny requests for extraordinary relief in paragraphs 7, 9 and 11 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). Appearances are required on 1/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Jaime Estrada

Pro Se

Movant(s):

Morgan Picks Two, LLC

Represented By
Barry L O'Connor

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(U.S. Bank N.A. VS Debtor)

Docket 461

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny the request for extraordinary relief in paragraph 3 since the debtor is not the borrower under the relevant loan agreements. Deny request for extraordinary relief in paragraph 10 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

10:30 AM

2:17-24551 Robert Dominguez and Kaylee Casto

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Gateway One Lending & Finance VS Debtors)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Robert Dominguez

Represented By
Arsen Pogosov

Joint Debtor(s):

Kaylee Casto

Represented By
Arsen Pogosov

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

10:30 AM

CONT... Robert Dominguez and Kaylee Casto

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

10:30 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#3.10 Cont'd hearing re: Motion for relief from stay
(Wells Fargo Bank, N.A. VS Debtor)
fr. 11/7/17, 12/19/17, 1/9/18

Docket 56

***** VACATED *** REASON: Resolved by stip & order entered on 1/16/18
-mb.**

Tentative Ruling:

Revised tentative ruling as of 1/16/18. Off calendar. Hearing is vacated by stipulation and order resolving motion. No appearances are required on 1/16/18.

Party Information

Debtor(s):

Shapphire Resources, LLC

Represented By
Raymond H. Aver

Movant(s):

WELLS FARGO BANK, N.A.

Represented By
Todd S Garan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

11:00 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#4.00 Cont'd hearing re: Motion for relief from stay
(Nationstar Mortgage LLC VS Debtor)
fr. 12/12/17

Docket 104

Tentative Ruling:

Updated tentative ruling as of 1/12/18. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Movant has demonstrated standing and a colorable claim to the property at issue based on its judgment for foreclosure from the Connecticut state court as well as the late-filed supplemental declaration claiming possession of the original promissory note on the mortgage. In re Griffin, 719 F.3d 1126 (9th Cir. 2013), and stay relief should be granted under 11 U.S.C. 362(d)(4) because of an unconsented-to transfer by the mortgagor to a third party who apparently used debtor's bankruptcy case to stop further enforcement of the judgment for foreclosure.

Deny the request for extraordinary relief in paragraph 3 since the debtor is not the borrower under the relevant loan agreements. Deny request for extraordinary relief in paragraph 10 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Appearances are required on 1/16/18, but counsel may appear by telephone.

Prior tentative ruling. Deny stay relief motion without prejudice because movant's showing of standing to seek stay relief is not properly authenticated under Fed. R. Evid. 901 and 902. The court agrees with debtor's argument that movant has not established standing because the copies of the mortgage and assignments are not properly authenticated by a person with personal

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

11:00 AM

CONT... Grand View Financial LLC

Chapter 11

knowledge to authenticate the documents or by certification from the recording office. See also, Fed. R. Evid. 602 and 902(1), (2) and (4). The evidence of the Connecticut state court foreclosure judgment, Exhibit G to the reply, does not establish standing of movant since there is no reference to movant in the judgment, and by itself does not show that it relates to the mortgage sought to be enforced by movant. Movant also failed to provide a judge's copy of the moving papers with separately tabbed exhibits as required by Local Bankruptcy Rule 5005-2(d). Appearances are required on 12/12/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

1:30 PM

2:12-14433 Arkland Investment LLC

Chapter 7

Adv#: 2:17-01479 Kurtz v. SIXTH AND VIRGIL, LLC et al.

#5.00 Hearing re: First amended motion to amend judgment to add as judgment debtors Daniel Niemann, Park & Velayos, LLP and Mohammed Islam

Docket 49

***** VACATED *** REASON: Notice of withdrawal of motion filed on 11/27/17-mb.**

Tentative Ruling:

Off

Party Information

Debtor(s):

Arkland Investment LLC

Represented By
Jeremy Faith
Elizabeth Jiang

Defendant(s):

SIXTH AND VIRGIL, LLC et al.

Pro Se

Plaintiff(s):

Heidi Kurtz

Pro Se

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

1:30 PM

2:12-14433 Arkland Investment LLC

Chapter 7

Adv#: 2:17-01479 Kurtz v. SIXTH AND VIRGIL, LLC et al.

#6.00 Cont'd status conference re: Removal of action under 28 U.S.C. 1452 (Bankruptcy)
fr. 10/24/17

Docket 1

Tentative Ruling:

The status conference will be conducted at 3:30 p.m. at the same time as the hearing on the motion to dismiss. No tentative ruling on the merits. Appearances are required at 3:30 p.m., but counsel may appear by telephone.

Party Information

Debtor(s):

Arkland Investment LLC

Represented By
Jeremy Faith
Elizabeth Jiang

Defendant(s):

SIXTH AND VIRGIL, LLC et al.

Pro Se

Plaintiff(s):

Heidi Kurtz

Pro Se

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

#7.00 Cont'd hearing re: First interim application of Buchalter, a professional corporation for allowance and payment of professional fees and reimbursement of expenses as special litigation counsel for Howard M. Ehrenberg, chapter 7 trustee fr. 12/19/17

Docket 162

Tentative Ruling:

Updated tentative ruling as of 1/12/18. Approve first interim fee application of special litigation counsel for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 1/16/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Prior tentative ruling. Applicant will need to submit in camera to the court unredacted versions of the billing statements in support of the fee application in order for the court to review the fee application. The court intends to continue the hearing so this can be done and the court can review the fee application. Appearances are required on 12/19/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:16-01332 All In One Trading, Inc., a California corporation v. Chaparala

#8.00 Cont'd status conference re: Complaint to determine non-dischargeability of debt and for denial of discharge
fr. 12/6/16, 2/28/17, 4/25/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/12/18. The court has reviewed the joint status report that the parties are requesting a stay pending the outcome of debtor's state court appeal. Appearances are required on 1/16/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/27/17. Off calendar. The court has reviewed the joint status report requesting that the status conference be continued for 3 weeks for the parties to evaluate the state court judgment recently entered. The court on its own motion continues the status conference to 3/21/17 at 1:30 p.m. Counsel for plaintiff to notify counsel for defendant of the continuance. No appearances are required on 2/28/17.

Prior tentative ruling as of 12/5/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/6/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/26/16. Appearances are required on 9/27/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Rama Krishna Chaparala

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Plaintiff(s):

All In One Trading, Inc., a

Represented By
Richard L Barnett

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Richard L Barnett

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

1:30 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01157 Wideload Investments, LLC et al v. Martinez

#9.00 Order to show cause why sanctions should not be imposed against defendant's attorney Andrew Smyth for failure to make a proper appearance at the November 14, 2017 status conference hearing

Docket 25

Tentative Ruling:

The court has reviewed counsel's response to the order to show cause. No tentative ruling on the merits. Appearances are required on 1/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Andrew Edward Smyth

Defendant(s):

Anthony Roy Martinez

Represented By
Andrew Edward Smyth

Plaintiff(s):

Wideload Investments, LLC

Represented By
Ryan A. Ellis

Benjamin Rudnitsky

Represented By
Ryan A. Ellis

Trustee(s):

Wesley H Avery (TR)

Represented By
Alan I Nahmias
Stephen F Biegenzahn

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

1:30 PM

2:17-10233 Alfred Hutchings Jr

Chapter 7

Adv#: 2:17-01181 Diamond, Chapter 7 Trustee, Plaintiff v. Engelman-Hutchings

#10.00 Cont'd status conference re: Trustee's complaint: (1) to avoid and recover fraudulent transfers; and (2) for turnover fr. 7/11/17, 9/12/17, 11/14/17

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on 1/12/18-mb.**

Tentative Ruling:

Off calendar. The adversary proceeding is being dismissed by stipulation and order. No appearances are required on 1/16/18.

Party Information

Debtor(s):

Alfred Hutchings Jr

Represented By
Matthew D Resnik

Defendant(s):

Jennifer M. Engelman-Hutchings

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Sonia Singh

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Zev Shechtman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

1:30 PM

2:17-16232 Hye Jung Oh

Chapter 7

Adv#: 2:17-01408 Neman Brothers & Associates, Inc., a California co v. Oh

#11.00 Cont'd status conference re: Complaint to determine dischargeability of a debt and objection to discharge
fr. 10/24/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/12/18. The status conference will be conducted on the 2:30 p.m. calendar with the hearing on plaintiff's motion for default judgment. Appearances are required at 2:30 p.m., not 1:30 p.m. No tentative ruling on the merits.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 10/24/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Hye Jung Oh

Represented By
Young K Chang

Defendant(s):

Hye Jung Oh

Pro Se

Plaintiff(s):

Neman Brothers & Associates, Inc.,

Represented By
Nico N Tabibi

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

1:30 PM

2:17-17863 Sharon Kelly

Chapter 7

Adv#: 2:17-01415 Gross v. Kelly

#12.00 Cont'd status conference re: Complaint to determine non-dischargeability of debt pursuant to 11 U.S.C. §§ 523(a)(5) and (15) fr. 10/24/17, 11/14/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/12/18. The court has reviewed the joint status report. Set a discovery cutoff date of 6/30/18 and a further postdiscovery status conference for 7/17/18 at 1:30 p.m. with a joint status report due on 7/10/18. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 1/31/18 and complete mediation by 7/17/18. Appearances are required on 1/16/18, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Prior tentative ruling as of 11/13/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Sharon Kelly

Represented By
Richard T Baum

Defendant(s):

Sharon Kelly

Pro Se

Plaintiff(s):

Mark P. Gross

Represented By
Gary A Starre

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

1:30 PM

2:17-19701 Oscar Padilla

Chapter 7

Adv#: 2:17-01537 Gonzalez v. Padilla

#13.00 Status conference re: Objection to the dischargeability of debtor's debt under 11 U.S.C. § 523(A)(2)

Docket 1

Tentative Ruling:

No tentative ruling as of 1/12/18. Appearances are required on 1/16/18.

Party Information

Debtor(s):

Oscar Padilla

Represented By
Michael E Clark

Defendant(s):

Oscar Padilla

Pro Se

Plaintiff(s):

Jose Gonzalez

Pro Se

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

1:30 PM

2:17-19839 Louis Omar Cruz

Chapter 7

Adv#: 2:17-01538 Wolkowitz v. Cruz

#14.00 Status conference re: Complaint against debtor for denial of discharge [11 U.S.C. § 727]

Docket 1

Tentative Ruling:

No tentative ruling as of 1/12/18. The court has reviewed the unilateral status reports of the parties, and the parties should address why no joint status report was filed. Appearances are required on 1/16/18.

Party Information

Debtor(s):

Louis Omar Cruz

Represented By
Harriet L. Goldfarb

Defendant(s):

Louis Omar Cruz

Pro Se

Plaintiff(s):

Edward M Wolkowitz

Pro Se

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

1:30 PM

2:17-19915 Frank Mainolfi

Chapter 13

Adv#: 2:17-01534 Federal Insurance Company v. Mainolfi

#15.00 Status conference re: Complaint to determine non-dischargeability of debt pursuant to 11 U.S.C. § 523(a)(2)(A), 523(a)(4), and 523(a)(6)

Docket 1

***** VACATED *** REASON: Case converted to chapter 13 & reassigned to Judge Bason on 11/21/17-mb.**

Tentative Ruling:

Off calendar. Case converted to Chapter 13 and reassigned to Judge Bason.
No appearances are required on 1/16/18.

Party Information

Debtor(s):

Frank Mainolfi

Represented By
Nicholas M Wajda

Defendant(s):

Frank Mainolfi

Pro Se

Plaintiff(s):

Federal Insurance Company

Represented By
David Billings

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01535 Grand View Financial, LLC v. Tan et al

#16.00 Status conference re: Complaint for (1) declaratory relief regarding title to real property; (2) turnover of real property; and (3) turnover of property of the estate and accounting

Docket 1

Tentative Ruling:

The court has reviewed the joint status report, but notes that the status report is incomplete because page 3 of the form status report is missing. Set a discovery cutoff date of 11/30/18 and a further postdiscovery status conference for 12/11/18 at 1:30 p.m. with a joint status report due on 12/4/18. Appearances are required on 1/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith

Defendant(s):

Stella Tan

Represented By
Larry D Webb

Wei Guo Tan, Trustee of the

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

2:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#17.00 Hearing re: Motion of plaintiff/creditor James Lee Clark for an order compelling discovery and sanctions against defendant/debtor Rita Ellison-Farris

Docket 351

Tentative Ruling:

Updated tentative ruling as of 1/12/18. Plaintiff moves to compel discovery to defendant with respect to: (1) his request for admissions, (2) his interrogatories and (3) his requests for production of documents. As to the request for admissions, the motion is unnecessary because if the requests for admissions are properly served, the requested matters for admission are deemed admitted if not timely denied. As to the interrogatories, the motion should be denied because the interrogatories are invalid because plaintiff did not sign them. On the copy of the interrogatories attached to the motion, there is no signature of plaintiff on his interrogatories as required by Federal Rule of Bankruptcy Procedure 9011(a). Plaintiff will need to sign them before he can move to compel defendant to respond to them. As to the request for production of documents, the motion does not comply with Local Bankruptcy Rule 9026-1(c) because plaintiff has not submitted a discovery dispute stipulation to be completed by both parties as to their positions on the discovery dispute. Plaintiff appears to have met the requirement of a meet and confer request to defendant's counsel, to which there was apparently no response, but plaintiff still needs to submit the joint discovery dispute stipulation required by Local Bankruptcy Rule 7026-1(c). The court wants the parties to conduct a meet and confer meeting regarding the interrogatories and the request for production of documents once plaintiff signs the interrogatories. Appearances are required on 1/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

2:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#18.00 Hearing re: Motion allowing debtor's objections to proof of claim of Discover Bank & Western Federal Credit Union

Docket 234

Tentative Ruling:

No tentative ruling as of 1/12/18. It is unclear whether debtor as the moving papers is asking for reconsideration of the court's prior orders denying his motions objecting to claim or is asking that the trustee admit wrongdoing in administering the estate. There is no cause for reconsideration under FRBP 3008 and FRCP 60(b) since there is no mistake, inadvertence, surprise, excusable neglect, newly discovered evidence or other grounds for relief since the claims were withdrawn and the objections were moot, and this has not changed. There is no basis to request or order the trustee to admit any kind of wrongdoing. Appearances are required on 1/16/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Arturo Gonzalez	Pro Se
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Movant(s):

Arturo Gonzalez	Pro Se
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Trustee(s):

Wesley H Avery (TR)	Represented By Brett B Curlee Marc Weitz
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

2:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

#19.00 Cont'd hearing re: Supplement to first interim and final application for order approving fees by Barnett & Rubin, a professional corporation, attorneys for the Chapter 7 trustee and authorizing payment fr. 12/19/17

Docket 157

Tentative Ruling:

Updated tentative ruling as of 1/12/18. Approve first interim and "final" fee application of former counsel for trustee on an interim basis for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 1/16/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Prior tentative ruling. Applicant will need to submit in camera to the court unredacted versions of the billing statements in support of the fee application in order for the court to review the fee application. The court intends to continue the hearing so this can be done and the court can review the fee application. Appearances are required on 12/19/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

2:30 PM

2:16-19436 Arsenia Morales Liwanag

Chapter 7

#20.00 Hearing re: Motion for order (1) authorizing sale of estate's right, title and interest in real property; (2) approving overbid procedure; (3) approving payment of commissions; (4) finding purchaser is a good faith purchaser; and (5) waiving stay under rule 6004(h)

Docket 95

Tentative Ruling:

Grant trustee's motion for order authorizing sale of real property, approving overbid procedures, approving payment and commissions, but no tentative ruling as to request for finding purchaser in good faith and waiving stay under FRBP 6004(h). Appearances are required on 1/16/18 for consideration of overbids, determination of good faith purchaser status and stay waiver request.

Party Information

Debtor(s):

Arsenia Morales Liwanag

Represented By
Nicholas M Wajda

Trustee(s):

Timothy Yoo (TR)

Represented By
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

2:30 PM

2:17-17889 Touria El Oudiyi

Chapter 7

#21.00 Hearing re: Motion to Dismiss Chapter 7 Case Pursuant to 11 U.S.C. § 707(b)(1), (b)(2) and (3)(B) and Contingent Motion to Extend Bar Date for filing Complaint Under 11 U.S.C. § 727 Objecting to Debtor's Discharge

Docket 22

***** VACATED *** REASON: Case dismissed per stip & order entered on 12/21/17-mb.**

Tentative Ruling:

Off calendar. The hearing is moot because the case was dismissed by stipulation and order entered on 12/21/17. No appearances are necessary.

Party Information

Debtor(s):

Touria El Oudiyi

Represented By
Eliza Ghanooni

Movant(s):

United States Trustee (LA)

Represented By
Kenneth G Lau

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

2:30 PM

2:17-16232 Hye Jung Oh

Chapter 7

Adv#: 2:17-01408 Neman Brothers & Associates, Inc., a California co v. Oh

#22.00 Hearing re: Plaintiff's motion for default judgment under LBR 7055-1

Docket 13

Tentative Ruling:

Updated tentative ruling as of 1/16/18. Deny motion for default judgment with leave to amend because the allegations in the complaint and motion are vague and conclusory and do not establish a prima facie case for its claims. Lu v. Liu (In re Liu), 282 B.R. 904, 907 (Bankr. C.D. Cal. 2002). The only fact that may have been shown by the moving papers is that debtor did not pay plaintiff for its goods, but no evidence of specific representations made by plaintiff or of why such representations are false are alleged or shown. Appearances are required on 1/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Hye Jung Oh

Represented By
Young K Chang

Defendant(s):

Hye Jung Oh

Pro Se

Plaintiff(s):

Neman Brothers & Associates, Inc.,

Represented By
Nico N Tabibi

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

3:00 PM

2:16-18163 Anthony Curtis Wells
Adv#: 2:17-01519 Wells v. Diamond

Chapter 7

#23.00 Hearing re: Motion to dismiss complaint

Docket 9

***** VACATED *** REASON: Plaintiff's voluntary dismissal filed on 1/2/18
-mb.**

Tentative Ruling:

Off calendar. The motion to dismiss is moot because plaintiff filed a notice of voluntary dismissal before an answer or summary judgment motion was filed pursuant to FRBP 7041 and FRCP 41(a)(1)(i). No appearances are required on 1/16/18.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Richard K Diamond

Represented By
Aaron E de Leest

Plaintiff(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest
John Clark Brown Jr

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

3:00 PM

2:16-18163 Anthony Curtis Wells

Chapter 7

#24.00 Cont'd hearing re: Motion for order compelling debtor to turn over possession of and vacate real property located at 6735 Yucca Street, Unit 410, Los Angeles, California fr. 12/12/17, 12/19/17

Docket 92

Tentative Ruling:

No updated tentative ruling as of 1/12/18. Appearances are required on 1/16/18, but counsel may appear by telephone.

Prior tentative ruling. Grant trustee's motion for turnover of the subject property for the reasons stated in the moving papers since the subject property is property of the bankruptcy estate under the trustee's supervision pursuant to 11 U.S.C. 541(a) and 704(a). Debtor's arguments lack merit. To the extent that debtor seeks stay pending appeal of the state court judgment, it is not properly raised in the opposition, and it is not properly raised in this court since the appeal is pending in the state court system. Appearances are required on 12/12/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest
John Clark Brown Jr

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

3:00 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#25.00 Cont'd hearing re: Evergreen retainer provisions
fr. 12/20/17

Docket 23

Tentative Ruling:

The court has reviewed applicant's reply to the court's order seeking clarification. No tentative ruling on the merits. Appearances are required on 1/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz
Ryan D ODea
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

3:30 PM

2:12-14433 Arkland Investment LLC

Chapter 7

Adv#: 2:17-01479 Kurtz v. SIXTH AND VIRGIL, LLC et al.

#26.00 Hearing re: Motion to dismiss first amended motion of Universal Bank

Docket 58

Tentative Ruling:

Grant motion to dismiss first amended motion for failure to state a claim upon which relief can be granted under Fed. R. Civ. P. 12(b)(6) and 9(b) because movant has not pleaded a plausible claim for "fraud on the court" to add additional judgment debtors due to lack of particularity of the allegations of fraud in the so-called "Complete Agreement" for which no particular allegations are made and are impermissibly conclusory bereft of any specific allegations of fact, and that the factual allegations of the so-called indicia of control in paragraph 24 of the first amended motion do not make out a plausible claim of fraud on the court based on control usurping the trustee's authority to supervise the state court litigation. No tentative ruling on whether leave to amend should be granted for a further amended motion. Appearances are required on 1/16/18.

Party Information

Debtor(s):

Arkland Investment LLC

Represented By
Jeremy Faith
Elizabeth Jiang

Defendant(s):

SIXTH AND VIRGIL, LLC et al.

Pro Se

Plaintiff(s):

Heidi Kurtz

Pro Se

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

3:30 PM

CONT...

Arkland Investment LLC

Timothy J Yoo

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

3:30 PM

2:12-14433 Arkland Investment LLC

Chapter 7

Adv#: 2:17-01479 Kurtz v. SIXTH AND VIRGIL, LLC et al.

#27.00 Hearing re: Motion to dismiss claims of all Universal Bank and joinder in motion to dismiss of Park & Velayos LLP

Docket 59

Tentative Ruling:

See tentative ruling for matter number 26.

Party Information

Debtor(s):

Arkland Investment LLC

Represented By
Jeremy Faith
Elizabeth Jiang

Defendant(s):

SIXTH AND VIRGIL, LLC et al.

Pro Se

Plaintiff(s):

Heidi Kurtz

Pro Se

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

3:30 PM

2:17-20802 Kirstin A Tidwell

Chapter 7

#28.00 Hearing re: Chapter 7 trustee's motion to approve compromise of controversy

Docket 29

Tentative Ruling:

Updated tentative ruling as of 1/12/18. The court has concerns about the sufficiency of the record in order for the court to grant the motion to approve compromise under the applicable fair and equitable standard set forth in *In re A & C Properties*, 784 F.2d 1377 (9th Cir. 1986). Debtor objects to the compromise on grounds that it is not reasonable because it undervalues the estate's interests in community property of her and her former spouse and that : (1) the former spouse must agree to pay his one-half share of community credit card debt of \$17,195.75, or \$8,597.88; (2) the estate is entitled to half of the appreciation on the family residence of \$568,000, or \$284,000; (3) the estate is entitled to one-half of the Phelan property of \$250,000, or \$300,000; and (4) the estate is entitled to one-half of the former spouse's client trust account of \$50,000, or \$25,000.

As to debtor's first objection as to allocation of community credit card debt, the former spouse's liability for the credit card debt is really a matter for the family law court rather than this court since he is not the debtor in this bankruptcy case, and the court does not have jurisdiction to impose such liability on him. As to considerations of fairness of the compromise regarding the credit card debt, that is really for the family law court to decide.

As to the dispute regarding the computation of the debtor's community property interest in the family residence, there is insufficient information and explanation of the computation offered by the former spouse and relied upon by trustee. The explanation in the former spouse's trial brief filed in the family law court is conclusory and not substantiated by evidence or citation to case authority, so it is difficult for the court to analyze the merits of the justification offered by the trustee to compromise the value of the estate's interest in this property (i.e., what is the valuation of the property now - it is unclear if the parties agree on valuation since the former spouse looks to the value of the property and debtor looks to the value of appreciation, but there is no

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

3:30 PM

CONT...

Kirstin A Tidwell

Chapter 7

appraisal or valuation opinion by an appraiser or real estate professional for the current value of the property, how do we know how to allocate the appreciation of the property between separate property and community property after the transfer to the living trust).

As to the dispute over the Phelan property, debtor claims that the property is worth \$300,000, but it is unclear that this is the value of the entire property as opposed to the 1/6 interest of her and her former spouse. The former spouse contends that the estate has no value in this asset because he owned the property before marriage and there was no transmutation in the transfer to the living trust. There is no appraisal or valuation opinion by an appraiser or real estate professional for the current value of the property, and there is no copy of the living trust instrument to see how the property was characterized when it was transferred to the trust.

As to the former spouse's client trust accounts, it may be that debtor means the retirement accounts, which he proposes to be allocated between the "time rule." However, if debtor really meant the client trust accounts, there is no explanation that the estate or the former spouse has any interest in funds presumably on deposit for the benefit of his clients in the client trust account.

As to the proposed 100% payoff of creditor claims if the settlement is approved as demonstrating the paramount interest of creditors under A & C Properties, but in a surplus situation like this, it would seem to the court that the fairness and equity of the settlement under FRBP 9019 should also take in consideration the impact on the debtor's interest. Trustee should be prepared to address this concern with appropriate case authority.

Debtor provided a judge's copy of the opposition which does not separately tabbed the exhibits as required by LBR 5005-2(d), and while the court has read the opposition, the court will not consider the exhibits until debtor provides a compliant copy of the opposition with separately tabbed exhibits. Appearances are required on 1/16/18.

Party Information

Debtor(s):

Kirstin A Tidwell

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 16, 2018

Hearing Room 1675

3:30 PM

CONT... Kirstin A Tidwell

Michele A Dobson

Chapter 7

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:00 AM

2:13-12977 Dowent Family LLC

Chapter 11

#1.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/21/17, 8/30/17, 10/25/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Prior tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

Prior tentative ruling as of 1/23/17. Off calendar. The court continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 11/28/16. Off calendar. The court continues the status conference on its own motion to 1/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/25/17. No appearances are required on 11/30/16.

Prior tentative ruling as of 10/24/16. Off calendar. The court continues the status conference on its own motion to 11/29/16 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 11/29/16. No appearances are required on 10/26/16.

Prior tentative ruling as of 9/26/16. Off calendar. The court has reviewed debtor's status report and continues the status conference on its own motion to 10/26/16 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/26/16. No appearances are required on 9/27/16.

Prior tentative ruling as of 7/25/16. Appearances are required on 7/27/16, but counsel may appear by telephone.

Updated tentative ruling as of 1/12/16. The court has reviewed debtor's status report. Appearances are required on 1/13/16, but counsel may appear by telephone.

No updated tentative ruling as of 9/8/15. Appearances are required on 9/9/15, but counsel may appear by telephone.

Prior tentative ruling as of 7/6/15. No tentative ruling on the merits. Appearances are required on 7/8/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/30/15. Appearances required on 3/31/15, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

Prior tentative ruling as of 3/30/15. Appearances required on 3/31/15, but counsel may appear by telephone.

Prior tentative ruling as of 9/29/14. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 10/1/14, but counsel may appear by telephone.

Updated tentative ruling as of 6/16/14. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 6/18/14, but counsel may appear by telephone.

Prior tentative ruling as of 2/17/14. No tentative ruling on the merits. Appearances are required on 2/19/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

Party Information

Debtor(s):

Dowent Family LLC

Represented By
Todd C. Ringstad

Movant(s):

Dowent Family LLC

Represented By
Todd C. Ringstad

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:00 AM

2:13-26021 L Scott Apparel Inc.

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. 6/21/17, 8/30/17, 10/25/17

Docket 140

Tentative Ruling:

Updated tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Corrected tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Updated tentative ruling as of 1/23/17. Off calendar. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 10/17/16. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. In light of the current pending litigation, especially the Sharron adversary proceeding, it seems that a further status conference should be set in about 120 days. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 12/1/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 12/2/15, but counsel may appear by telephone.

Prior tentative ruling as of 7/27/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 7/29/15 to discuss scheduling of further post-confirmation proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 3/9/15. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of claims as described in the status report. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.
by telephone.

Chapter 11

Prior tentative ruling as of 9/2/14. Appearances are required on 9/3/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 9/3/14 at 11:00 a.m. to allow the parties a limited opportunity to continue in plan modification negotiations. No appearances are required on 8/21/14.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

Movant(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:00 AM

2:13-28484 Pasadena Adult Residential Care, Inc

Chapter 7

#3.00 Cont'd status conference re: New operator license
fr. 6/14/17, 8/16/17, 10/25/17

Docket 656

Tentative Ruling:

Updated tentative ruling as of 1/12/18. No tentative ruling on the merits.
Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits.
Appearances are required on 10/25/17, but counsel may appear by
telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits.
Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/17. No tentative ruling on the merits.
Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits.
Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed trustee's status report. No
tentative ruling on the merits. Appearances are required on 1/11/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

Pasadena Adult Residential Care, Inc

Represented By
Hamid R Rafatjoo
Joyce H Vega

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:00 AM

CONT... Pasadena Adult Residential Care, Inc

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Represented By
Dawn A Messick
Christopher Celentino
Ballard Spahr LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/19/17, 7/26/17, 10/11/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/12/18. No tentative ruling on the merits.
Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/10/17. No tentative ruling on the merits.
Appearances are required on 10/11/17, but counsel may appear by
telephone.

Revised tentative ruling as of 7/25/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
7/26/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits, but the court notes that the cash flow projection
described as Exhibit A was not attached to the status report. Appearances
are required on 4/19/17 to discuss setting of claims bar date and further
proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:00 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/11/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/12/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 10/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:00 AM

2:17-24478 Julie Gamido

Chapter 11

#6.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Julie Gamido

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:00 AM

2:17-18962 Alexander Yulish

Chapter 7

#6.10 Hearing re: Stipulation between trustee and debtor regarding estate's interest in personal property

Docket 34

Tentative Ruling:

Approve stipulation of trustee, debtor and his entity, Spuyten, for the reasons stated in the moving and reply papers, but with the provision that it is without prejudice to the right of creditor BL2 Inc. to make the appropriate motion to determine that a certain Mary Corse painting is not property of the estate. The creditor seeking some sort of affirmative relief should bring its own motion for such relief rather than just raising it in an objection to the stipulation. The stipulation only determines rights as between trustee, debtor and his entity, Spuyten, and does not provide for any sale of assets of the estate and does not affect the rights of third parties, such as creditor. Appearances are required on 1/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Alexander Yulish

Represented By
Todd L Turoci

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Sonia Singh
Eric P Israel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#7.00 Hearing re: United States Trustee's motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 36

Tentative Ruling:

Revised tentative ruling as of 1/16/18. The court is considering granting motion of United States Trustee to dismiss, convert or appoint trustee for the reasons stated in the moving papers for lack of compliance with United States Trustee information reporting requirements under 11 U.S.C. 1112(b)(4)(H) since cause may be shown by the moving papers and is not apparently disputed by debtor. However, before the court concludes that cause is shown under 11 U.S.C. 1112(b)(4)(H), the court could allow debtor an opportunity to cure the United States Trustee information reporting deficiencies and allow the case to proceed.

If the court determines that cause is shown under 11 U.S.C. 1112(b)(4)(H), the court must consider and decide whether conversion, dismissal or trustee appointment is in the best interests of creditors and the estate under 11 U.S.C. 1112(b)(1). In re Sullivan, 522 B.R. 604, 612 (9th Cir. BAP 2014). However, there are conflicting positions among creditors regarding whether the case should be dismissed, converted to Chapter 7, or a trustee appointed in the best interests of creditors and the estate and the United States Trustee has no recommendation as between dismissal or conversion. One creditor, the judgment creditor Second Generation, Inc., contends that trustee appointment or conversion is in the best interests of creditors and the estate because the creditors supporting dismissal are sham creditors and debtor's schedules and monthly operating reports reflect an unexplained dissipation of about \$240,000 in bank deposits shortly after petition date. The creditors supporting dismissal assert that they are owed large amounts and that conversion or trustee appointment will not allow the debtor to continue to operate to generate business revenue to pay them back. In making its determination of what is in the best interests of creditors and the estate, it is not simply a matter of the majority vote of creditors or which is largest and

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:30 AM

CONT... Kody Branch of California, Inc.

Chapter 11

most vocal creditor, but what is in the best interests of all creditors. In re Sullivan, 522 B.R. at 612-613. The court believes that in fairness to the parties that it should conduct an evidentiary hearing if cause is found to determine whether it should dismiss or convert the case or appoint a trustee and hear testimony and receive evidence from debtor and creditors and interested parties, such as the United States Trustee, to resolve the contentions of the disputing parties on dismissal, conversion or trustee appointment (i.e., whether the allegedly suspect creditors which support dismissal have bona fide claims, whether debtor has an explanation for the alleged postpetition dissipation of its bank deposits). Appearances are required on 1/17/18, but counsel may appear by telephone. The court will set a schedule for the evidentiary hearing after considering the views and pretrial needs of the parties, including discovery.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz
Ryan D ODea
Leonard M Shulman

Movant(s):

United States Trustee (LA)

Represented By
Hatty K Yip

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 17, 2018

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/10/18

Docket 1

Tentative Ruling:

No tentative ruling as of 1/12/18. Appearances are required on 1/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
David B Golubchik
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 18, 2018

Hearing Room 1675

1:30 PM

2:13-17901 CalCounties Title Nation Company

Chapter 7

#1.00 TRIAL RE: Motion by claimant Benson Ahumibe and Grace M. Ahumibe, for order to release funds held in debtor's escrow account fr. 5/30/17, 7/25/17, 8/29/17

Docket 132

Tentative Ruling:

Updated tentative ruling as of 1/12/18. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 1/18/18.

No updated tentative ruling as of 8/28/17. Appearances are required on 8/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 and set a pretrial schedule, including discovery proceedings. Sustain trustee's objections to Ahumibe Declaration for lack of foundation. Movants will have to prove their entitlement to the funds in the escrow account in this contested matter because there is insufficient evidence that the funds belong to them as exempt sale proceeds relating to a sale of a prepetition asset of theirs which may be otherwise part of the bankruptcy estate of their personal bankruptcy case, and the trustee of movants' personal bankruptcy case may have to be joined as a party to this contested matter. Appearances are required on 5/30/17, but counsel may appear by telephone.

Party Information

Debtor(s):

CalCounties Title Nation Company

Represented By
Allan Calomino

Trustee(s):

Alfred H Siegel (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 18, 2018

Hearing Room 1675

1:30 PM

CONT...

CalCounties Title Nation Company

Chapter 7

Anthony A Friedman
Alfred H Siegel (TR)
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, January 19, 2018

Hearing Room 1675

1:30 PM

2:17-11539 Prestige Auto Body Center, Inc.

Chapter 11

#1.00 TRIAL RE: United States Trustee's motion for an order disgorging attorney compensation pursuant to 11 U.S.C. §§105(a), 327, 329 and 330 fr. 8/30/17

Docket 30

Tentative Ruling:

Updated tentative ruling as of 1/12/18. Off calendar. The hearing is vacated pursuant to stipulation and order for settlement of the motion of the United States Trustee for attorney fee disgorgement. No appearances are required on 1/19/18.

Prior tentative ruling. Treat as a contested matter under Fed. R. Bankr. P. 9014 since there are material factual issues regarding the parties' contentions, such as whether the former attorney's representation was part of a unified scheme to defeat the landlord's unlawful detainer action in state court and whether some fees collected by the former attorney are attributable to his representation of debtor in the prebankruptcy unlawful detainer action. It appears that former attorney's strategy to file the Chapter 11 bankruptcy case to hinder or delay the landlord was not devised until debtor lost the unlawful detainer case on 2/9/17, though it does not help that the former attorney did not submit a copy of the attorney fee agreement covering the state court litigation services that he is claiming are not part of the bankruptcy representation and that the retainer agreement for the bankruptcy representation was dated 3/13/17. The record is unclear whether there was an unified scheme to defeat any unlawful detainer judgment to file a bankruptcy case because the former attorney contemplating losing the unlawful detainer case in advance of the unlawful detainer trial, which may not be the case, and if not, most of the fees were collected before the unlawful detainer trial, where the outcome was then unknown, suggesting that the fees were incurred to litigate that matter and not any prospective bankruptcy case. It appears that the fees attributable to the bankruptcy representation should be disgorged as argued by the United States Trustee because the former attorney did not enter into any written agreement for such services until 3/13/17, a month after he filed the bankruptcy petition for

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, January 19, 2018

Hearing Room 1675

1:30 PM

CONT... Prestige Auto Body Center, Inc.

Chapter 11

debtor, that he did not promptly seek, and did not obtain, authorization of employment as general bankruptcy counsel for debtor, and that the bankruptcy case was filed in bad faith simply to hinder or delay enforcement of the landlord's unlawful detainer judgment for eviction. However, the court will need to make factual findings after an evidentiary hearing as to whether this should be its ruling and as to an allocation between the former attorney's representation in the unlawful detainer action and representation in the bankruptcy case. Appearances are required on 8/30/17 to discuss scheduling of pretrial and trial proceedings.

Party Information

Debtor(s):

Prestige Auto Body Center, Inc.

Represented By
David R Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, January 22, 2018

Hearing Room 1675

9:00 AM

2:16-18600 Jens Larsen

Chapter 7

Adv#: 2:16-01446 Perske v. Larsen

#1.00 Cont'd hearing re: Plaintiff Jacquelynn Perske's motion in limine no. 2 to exclude evidence or argument relating to the "advice of counsel" defense fr. 10/26/17, 11/9/17

Docket 115

***** VACATED *** REASON: Matter to be heard at 10:00 a.m. per order entered on 1/17/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/18/18. The matter is trailed to when the trial resumes at 10:00 a.m., not 9:00 a.m. Appearances are required at 10:00 a.m.

Prior tentative ruling as of 10/31/17. Appearances are required on 11/9/17.

No tentative ruling as of 10/23/17. Appearances are required on 10/26/17.

Party Information

Debtor(s):

Jens Larsen

Represented By
Matthew D Resnik

Defendant(s):

Jens F Larsen

Represented By
Joseph W Kellener

Plaintiff(s):

Jacquelynn Perske

Represented By
Damion Robinson

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, January 22, 2018

Hearing Room 1675

9:00 AM

CONT...

Jens Larsen

Diane C Weil

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, January 22, 2018

Hearing Room 1675

9:00 AM

2:16-18600 Jens Larsen

Chapter 7

Adv#: 2:16-01446 Perske v. Larsen

#2.00 CONT'D TRIAL RE: Complaint for (1) determination of non-dischargeability of debt pursuant to 11 U.S.C. §523; and (2) denial of discharge pursuant to 11 U.S.C. §723 fr. 10/26/17, 10/27/17, 11/9/17

Docket 1

***** VACATED *** REASON: Matter to be heard at 10:00 a.m. per order entered on 1/17/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/18/18. The trial will resume at 10:00 a.m., not 9:00 a.m. Appearances are required at 10:00 a.m.

No updated tentative ruling as of 10/31/17. Appearances are required on 11/9/17.

Prior tentative ruling as of 1/9/17. The court has reviewed plaintiff's unilateral status report. No updated tentative ruling on the merits. Appearances are required on 1/10/17.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 12/6/16.

Party Information

Debtor(s):

Jens Larsen

Represented By
Steven L. Kimmel

Defendant(s):

Jens F Larsen

Pro Se

Plaintiff(s):

Jacquelynn Perske

Represented By
Darrel C Menthe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, January 22, 2018

Hearing Room 1675

9:00 AM

CONT... Jens Larsen

Chapter 7

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, January 22, 2018

Hearing Room 1675

10:00 AM

2:16-18600 Jens Larsen

Chapter 7

Adv#: 2:16-01446 Perske v. Larsen

#3.00 Cont'd hearing re: Plaintiff Jacquelynn Perske's motion in limine no. 2 to exclude evidence or argument relating to the "advice of counsel" defense fr. 10/26/17, 11/9/17

Docket 115

Tentative Ruling:

Updated tentative ruling as of 1/18/18. No tentative ruling will be issued for trial. Appearances are required at the rescheduled time of 10:00 a.m.

No updated tentative ruling as of 10/31/17. Appearances are required on 11/9/17.

No tentative ruling as of 10/23/17. Appearances are required on 10/26/17.

Party Information

Debtor(s):

Jens Larsen

Represented By
Matthew D Resnik

Defendant(s):

Jens F Larsen

Represented By
Joseph W Kellener

Plaintiff(s):

Jacquelynn Perske

Represented By
Damion Robinson

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Carmela Pagay
Diane C Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, January 22, 2018

Hearing Room 1675

10:00 AM

2:16-18600 Jens Larsen

Chapter 7

Adv#: 2:16-01446 Perske v. Larsen

#4.00 CONT'D TRIAL RE: Complaint for (1) determination of non-dischargeability of debt pursuant to 11 U.S.C. §523; and (2) denial of discharge pursuant to 11 U.S.C. §723 fr. 10/26/17, 10/27/17, 11/9/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/18/18. No tentative ruling will be issued for trial. Appearances are required at the rescheduled time of 10:00 a.m.

No updated tentative ruling as of 10/31/17. Appearances are required on 11/9/17.

Prior tentative ruling as of 1/9/17. The court has reviewed plaintiff's unilateral status report. No updated tentative ruling on the merits. Appearances are required on 1/10/17.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 12/6/16.

Party Information

Debtor(s):

Jens Larsen

Represented By
Steven L. Kimmel

Defendant(s):

Jens F Larsen

Pro Se

Plaintiff(s):

Jacquelynn Perske

Represented By
Darrel C Menthe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, January 22, 2018

Hearing Room 1675

10:00 AM

CONT... Jens Larsen

Chapter 7

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

10:30 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#1.00 Hearing re: Motion for relief from stay
(PennyMac Loan Services, LLC VS Debtor)

Docket 146

Tentative Ruling:

No tentative ruling as of 1/23/18. Appearances are required on 1/23/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Movant(s):

PennyMac Loan Services, LLC

Represented By
Megan E Lees

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

1:30 PM

2:12-35473 Amurgence Technology Inc

Chapter 7

Adv#: 2:15-01563 Rund, Chapter 7 Trustee v. Lee, an individual et al

#2.00 Cont'd status conference re: Complaint for: (1) malpractice; (2) aiding and abetting breach of fiduciary duty; and (3) breach of fiduciary duty fr. 8/15/17, 10/17/17, 11/28/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/22/18. No tentative ruling on the merits. The court has reviewed the joint status report and intends to discuss scheduling of further proceedings in this adversary proceeding in light of substitution of counsel for defendants. Appearances are required on 1/23/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. The court has reviewed the joint status report and intends to discuss scheduling of further proceedings in this adversary proceeding, specifically to discuss whether they can be coordinated with further proceedings in the related adversary proceedings involving debtor's insiders and Microland and the scheduling of defendants' motion for summary judgment. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 4/11/17 to discuss scheduling of further proceedings, including possible coordination with litigation in Rund v. Microland adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 1/10/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

1:30 PM

CONT... Amurgence Technology Inc

Chapter 7

12/6/16 to discuss scheduling of further proceedings, including filing of supplemental pleadings, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits. Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. The court has reviewed the joint status report, noting the hearings on the pending motions to dismiss the first amended complaint on 7/26/16 at 3:00 p.m., and continues the status conference to the date and time of the hearings on the motions to dismiss the first amended complaint on 7/26/16 at 3:00 p.m. No appearances are required on 7/19/16

Prior tentative ruling as of 4/11/16. No tentative ruling on the merits. Appearances are required on 4/12/16.

Prior tentative ruling as of 4/4/16 at 5:30 p.m. Off calendar. Continued on the court's own motion to 4/12/16 at 2:30 p.m. since the hearing on the motion to dismiss is continued to that date and time. No appearances are required on 4/5/16.

Prior tentative ruling as of 3/7/16. ff calendar. Continued by separate order on the court's own motion for further briefing to 4/5/16 at 3:00 p.m. No appearances are required on 3/8/16.

Prior tentative ruling. In light of defendants' pending motion to dismiss or for more definite statement noticed for hearing on 3/8/16 at 3:00 p.m., the court continues the status conference to that date and time on its own motion since the determination of that motion may affect the status of the adversary proceeding. No appearances are required on 2/9/16.

Party Information

Debtor(s):

Amurgence Technology Inc

Represented By
Ron Bender
Mark H Mcguire
Irwin M Wittlin

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

1:30 PM

CONT... Amurgence Technology Inc

Chapter 7

Defendant(s):

Albert Lee, an individual Pro Se

Business Legal Partners Attorneys Pro Se

DOES 1 through 10 Pro Se

Plaintiff(s):

Jason M. Rund, Chapter 7 Trustee Represented By
Corey R Weber

Trustee(s):

Jason M Rund (TR) Represented By
Steven T Gubner
Corey R Weber
Michael W Davis

Jason M Rund (TR) Pro Se

U.S. Trustee(s):

United States Trustee (LA) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

1:30 PM

2:17-17642 Amber Andersen

Chapter 7

Adv#: 2:17-01523 Andersen v. Navient Solutions LLC

#3.00 Status conference re: Complaint to determine dischargeability of student loans fr. DS

Docket 1

***** VACATED *** REASON: Cont'd from 1/23/18 to 2/6/18 at 2:30 p.m.
by stip & order entered on 1/22/18-mb.**

Tentative Ruling:

Off calendar. Continued ;by stipulation and order to 2/6/18 at 2:30 p.m. No appearances are required on 1/23/18.

Party Information

Debtor(s):

Amber Andersen

Represented By
John D Faucher

Defendant(s):

Navient Solutions LLC

Represented By
Robert S Lampl

Plaintiff(s):

Amber Andersen

Represented By
John D Faucher

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

1:30 PM

2:17-25079 Cordell Cooper

Chapter 7

#4.00 Order to show cause re: Debtor's failure to file a Certificate of Credit Counseling

Docket 1

Tentative Ruling:

No tentative ruling as of 1/22/18. Appearances are required on 1/23/18.

Party Information

Debtor(s):

Cordell Cooper

Pro Se

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#5.00 Hearing re: Motion to amend debtor's responsive brief regarding debtor's right to claim a homestead exemption in real property located at 329 Hawaiian Avenue, Wilmington, CA filed pursuant to orders entered August 2, 2017 and September 27, 2017 docket nos. 213 and 218

Docket 238

***** VACATED *** REASON: Taken off calendar per order entered
1/17/18-st**

Tentative Ruling:

Off calendar. The court determined that oral argument on the motion is not necessary, dispensed with oral argument, vacated the hearing on the motion and issued a written decision on the motion. No appearances are required on 1/23/18.

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Marc Weitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

2:30 PM

2:16-12723 Peter Walther Barthelmess and Kim Elizabeth Barthelmess

Chapter 7

#6.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Rosendo Gonzalez, Chapter 7 Trustee]

Docket 79

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 1/23/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Peter Walther Barthelmess

Represented By
Nicholas W Gebelt

Joint Debtor(s):

Kim Elizabeth Barthelmess

Represented By
Nicholas W Gebelt

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

2:30 PM

2:16-13416 GPLA, Inc.

Chapter 7

#7.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Rosendo Gonzalez, Chapter 7 Trustee]

Docket 69

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 1/23/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

GPLA, Inc.

Represented By
Clifford Bordeaux

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Helen R Frazer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

2:30 PM

2:16-13416 GPLA, Inc.

Chapter 7

#8.00 Hearing re: Application for fees and expenses
[Helen Frazer, Attorney for Chapter 7 Trustee]

Docket 65

Tentative Ruling:

Approve final fee application of attorney for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 1/23/18, but trustee and counsel may appear by telephone. Trustee or counsel to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

GPLA, Inc.

Represented By
Clifford Bordeaux

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Helen R Frazer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

2:30 PM

2:16-13416 GPLA, Inc.

Chapter 7

#9.00 Hearing re: Application for fees and expenses
[LEA Accountancy, LLP, Accountant for Chapter 7 Trustee]

Docket 66

Tentative Ruling:

Approve final fee application of accountants for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 1/23/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

GPLA, Inc.

Represented By
Clifford Bordeaux

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Helen R Frazer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

2:30 PM

2:16-14783 Anthony Joseph Hosking and Robyn Kelly Hosking

Chapter 7

#10.00 Hearing re: Trustee's Final Report and Applications for Compensation on behalf of Trustee Wesley H. Avery

Docket 94

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 1/23/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Joseph Hosking

Represented By
David J Workman

Joint Debtor(s):

Robyn Kelly Hosking

Represented By
David J Workman

Trustee(s):

Wesley H Avery (TR)

Represented By
M Jonathan Hayes

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

2:30 PM

2:16-18163 Anthony Curtis Wells

Chapter 7

#11.00 Hearing re: Objection of chapter 7 trustee to debtor's homestead exemption

Docket 101

Tentative Ruling:

Treat as a contested matter under FRBP 9014 and set for an evidentiary hearing. The court will set a short evidentiary hearing to allow the parties to submit and establish a factual record for the court's ruling and for possible appellate review. It appears that debtor as the party claiming the exemption under California law has the burden of proving entitlement to the exemption. In re Diaz, 547 B.R. 329, 337 (9th Cir. BAP 2016), citing inter alia, Raleigh v. Illinois Department of Revenue, 530 U.S. 15, 20-21 (2000); but see, In re Carter, 182 F.3d 1027, 1029 n. 3 (9th Cir. 1999); FRBP 4003(c). The court understands that the trustee relies upon BAP authority in In re Glass, 164 B.R. 759, 761 (9th Cir. BAP 1994) to argue that the exemption should be denied because debtor's transfer to his spouse was voluntary and recovered by the trustee or concealed, but this court considers BAP opinions to be persuasive only and not controlling. In re Arnold, 471 B.R. 578, 588-590 (Bankr. C.D. Cal. 2012). The court believes that there should be a clear factual record for its ruling and possible appellate review and will set the matter for evidentiary hearing, at which time the parties should submit their exhibits and call witnesses for testimony (i.e., the record is unclear as to the various transmigrations of the subject property). Appearances are required on 2/23/18 to discuss scheduling, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest
John Clark Brown Jr

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

2:30 PM

CONT... Anthony Curtis Wells

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

2:30 PM

2:17-21688 Danielle Nicole Alonso

Chapter 7

#12.00 Hearing re: Motion to extend 11 U.S.C. §§ 523 and 727 deadlines

Docket 22

Tentative Ruling:

Grant motion to extend time to file complaints to determine debt dischargeability and/or to deny discharge for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 1/23/18, but counsel may appear by telephone. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Danielle Nicole Alonso

Represented By
Scott Kosner

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#13.00 Cont'd hearing re: Motion of plan agent to dismiss second amended crossclaims filed by 400 S. La Brea, LLC against Sam Leslie, as trustee of the plan trust for Art & Architecture Books of The 21st Century, and against Art & Architecture Books of The 21st Century
fr. 11/28/17

Docket 225

***** VACATED *** REASON: Cont'd from 1/23/18 to 3/6/18 at 3:00 p.m.
per stip & order entered on 1/4/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/22/18. Continued by stipulation and order to 3/6/18 at 3:00 p.m. No appearances are required on 1/23/18.

Prior tentative ruling as of 11/27/17. Appearances are required on 11/28/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Douglas Christmas

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Ace Gallery New York, Inc., a
Represented By
Alan W Forsley

ACE MUSEUM, a California
Represented By
Alan W Forsley

400 S La Brea, LLC a California
Represented By
Michael W Vivoli
Ashley M McDow
Michael T Delaney

Jennifer Kellen
Represented By
Jerome Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF
Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured
Represented By
David J Richardson
Victor A Sahn

Sam Leslie
Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11
Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#14.00 Cont'd hearing re: Plaintiff, Sam Leslie, motion for partial summary judgment against Ace Museum fr. 11/7/17, 11/28/17

Docket 185

***** VACATED *** REASON: Cont'd from 1/23/18 to 3/6/18 at 3:00 p.m. per stip & order entered on 1/4/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/22/18. Continued by stipulation and order to 3/6/18 at 3:00 p.m. No appearances are required on 1/23/18.

Prior tentative ruling. Deny plaintiff's motion for partial summary judgment because there are genuine issues of material fact for trial raised by evidence before the court on the motion, i.e., defendants raise material issues of fact regarding the effect of the stipulation and term sheet between debtor, the committee, defendants Ace Museum and Douglas Christmas, approved by order of the court in one of the consolidated adversary proceedings, for which there are reasonable, but conflicting, inferences on how to construe these documents as to whether the museum's loan by debtor was satisfied pursuant to the stipulation, term sheet and performance thereon. The court determines that it is not appropriate for it to resolve these conflicting inferences by granting plaintiff declaratory relief to vacate the stipulation and order thereon based on its reply or by the court sua sponte. Although the court could conceivably grant such relief for relief from judgment or order, the court strongly believes that such relief should be considered through the adversary process where all interested parties may respond and be heard, and to this end, if plaintiff seeks such relief, it may make an appropriate motion with notice and opportunity to be heard by the affected parties. The court need

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

not reach the merits of defendants' objections to the Declaration of Timothy Kincaid, though there appears to be serious foundational problems with some of the assertions in the declaration, which may or may not be remedied by amendment and supplementation. Appearances are required on 11/7/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Douglas Christmas

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By
Alan W Forsley

ACE MUSEUM, a California

Represented By
Alan W Forsley

400 S La Brea, LLC a California

Represented By
Kenderton S Lynch
Michael W Vivoli

Jennifer Kellen

Represented By
Jerome Bennett Friedman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#15.00 Cont'd hearing re: Motion to compel production of documents by Fortuna Asset Management
fr. 11/14/17, 11/28/17

Docket 218

***** VACATED *** REASON: Cont'd from 1/23/18 to 3/6/18 at 3:00 p.m.
per stip & order entered on 1/4/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/22/18. Continued by stipulation and order to 3/6/18 at 3:00 p.m. No appearances are required on 1/23/18.

Prior tentative ruling as of 11/27/17. Appearances are required on 11/28/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Douglas Christmas

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Alan W Forsley

ACE MUSEUM, a California

Represented By
Alan W Forsley

400 S La Brea, LLC a California

Represented By
Kenderton S Lynch
Michael W Vivoli
Ashley M McDow
Michael T Delaney

Jennifer Kellen

Represented By
Jerome Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#16.00 Cont'd hearing re: Motion of plan agent for preliminary injunction pursuant to Fed. R. Civ. P. 65 and Fed. R. Bankr. P. 7065 against defendant 400 S. La Brea, LLC fr. 11/14/17, 11/28/17

Docket 215

***** VACATED *** REASON: Cont'd from 1/23/18 to 3/6/18 at 3:00 p.m.
per stip & order entered on 1/4/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/22/18. Continued by stipulation and order to 3/6/18 at 3:00 p.m. No appearances are required on 1/23/18.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17 to discuss scheduling of the evidentiary hearing on the motion, but counsel may appear by telephone.

Prior tentative ruling. The court intends to set an evidentiary hearing on plaintiff's motion for preliminary injunction and will treat the hearing as a status conference to discuss scheduling. As the party seeking preliminary injunctive relief, plaintiff has the burden of persuasion for such relief, and "[b]ecause a preliminary injunction is an extraordinary remedy, courts require the movant to carry its burden of persuasion by a " 'clear showing.'" 3 O'Connell and Stevenson, *Rutter Group Practice Guide: Federal Civil Procedure Before Trial*, ¶¶ 13:159 and 13:159.1 at 13-87 (Ninth Circuit and California edition 2017), citing, *West Point-Pepperill, Inc. v. Donovan*, 689 F.2d 950, 956 (11th Cir. 1982); *Mazurek v. Armstrong*, 520 U.S. 968, 972 (1997); and *Towery v. Brewer*, 672 F.3d 650, 657 (9th Cir. 2012). The court is of the opinion that it should conduct an evidentiary hearing and take live testimony in this case because "[i]t may be an abuse of discretion to refuse live testimony where facts are bitterly contested and credibility determinations must be made to decide whether injunctive relief should issue." 3 O'Connell and Stevenson, *Rutter Group Practice Guide: Federal Civil Procedure Before Trial*, ¶ 13:163 at 13-87 – 13-88, citing, *McDonald's*

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

CONT... **Art and Architecture Books of the 21st Century** **Chapter 11**

Corp. v. Robertson, 147 F.3d 1301, 1312 (11th Cir. 1998); *Charette v. Town of Oyster Bay*, 159 F.3d 749, 755 (2nd Cir. 1998); *Cobell v. Norton*, 391 F.3d 251, 261 (D.C. Cir. 2004)("circumstances and interests at stake" determine whether abbreviated or more extensive evidentiary hearing required). The amounts at issue (approximately \$4.9 million in unauthorized payments of debtor's funds claimed by plaintiff to have been made to defendant 400 S. LaBrea, LLC), the severity of the restrictions on alienation of the subject property and use of revenue derived therefrom proposed in plaintiff's motion and the factual allegations of the parties are bitterly contested all indicate "circumstances and interests at stake" that the court should conduct an evidentiary hearing on the motion. *Id.*; see also, 3 O'Connell and Stevenson, *Rutter Group Practice Guide: Federal Civil Procedure Before Trial*, ¶ 13:163.1 at 13-88, citing *inter alia*, *Aguirre v. Chula Vista Sanitary Service & Sani-Tainer, Inc.*, 542 F.2d 779, 781 (9th Cir. 1976).

The factual and legal issues contested on the motion center on the applicability of the Ninth Circuit's recent decision and opinions in *Matter of Walldesign, Inc.*, 872 F.3d 954, 963 (9th Cir. 2017) regarding the reiteration of the adoption of the so-called "dominion" test to determine whether a transferee is an "initial" or "intermediate or mediate" transferee under 11 U.S.C. § 550(a)(1) or (2). As the majority stated in *Walldesign*, "[u]nder the dominion test, "a transferee is one who ... has dominion over the money or other asset,"—in other words, one with "the right to put the money to one's own purposes." 872 F.3d at 963, citing, *In re Mortgage Store, Inc.*, 773 F.3d 990, 995 (9th Cir. 2014), quoting, *In re Incomnet, Inc.*, 463 F.3d 1064, 1070 (9th Cir. 2006). The *Walldesign* majority further stated: "The 'key[s]' to this test are "'whether the recipient of funds has legal title to them' and whether the recipient has 'the ability to use [the funds] as he sees fit.'" *Id.*, quoting, *In re Incomnet, Inc.*, 463 F.3d at 1071. The majority further stated: "We further explained that, "an individual will have dominion over a transfer if, for example, he is 'free to invest the whole [amount] in lottery tickets or uranium stocks'" and "The first party to establish dominion over the funds after they leave the transferor is the initial transferee; other transferees are subsequent transferees." *Id.*,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

quoting, In re Bonded Financial Services, Inc. v. European American Bank, 838 F.2d 890, 894 (7th Cir. 1988) (citations omitted). The parties dispute whether the evidence offered by plaintiff "clearly shows" that defendant 400 S. LaBrea, LLC is the initial transferee of the funds of debtor paid on behalf of defendant Ace Museum as rent (i.e., whether the funds transferred by debtor to Ace Museum through loans or otherwise gave Ace Museum dominion over the funds, and whether such loan is now cancelled through a settlement, either of these circumstances would show that Ace Museum was the initial transferee and 400 S. LaBrea, LLC as the mediate or intermediate transferee, and whether as a mediate or intermediate transferee, 400 S. LaBrea, LLC, received the transfers in good faith and for value).

Moreover, the parties dispute whether the evidence "clearly shows" whether "it is fair to view [400 LaBrea, LLC] as the initial transferee[] since [it] 'receive[d] funds directly from [the] debtor, and thus, [its] 'capacity [and burden] to monitor . . . [were] at [their] greatest.'" *In re Walldesign, Inc.*, 872 F.3d at 968, *quoting, In re Video Depot, Ltd.*, 127 F.3d 1195, 1199 (9th Cir. 1997). This passage from the majority opinion in *Walldesign* suggests that whether a transferee had "indications" of irregularities in the subject transfers is relevant to the inquiry of whether a transferee is "initial" or "intermediate." The parties dispute whether defendant 400 S. LaBrea, LLC knew or had reason to know that the transfers were improper transfers from the debtor, thus indicating that an evidentiary hearing is needed to determine whether plaintiff has met his burden of persuasion clearly showing entitlement to relief.

An evidentiary hearing is also needed to determine the degree of irreparable harm to plaintiff and the prejudice to other parties, including 400 S. LaBrea, LLC, in that there are wide disparities in the positions of the parties as to the degree of harm which would be suffered if relief were or were not granted, and how the party adversely affected by the granting or denial of relief would be protected, such as a bond if relief were granted to protect 400 S. LaBrea, LLC, which asserts the need for a \$4.8 million bond from plaintiff to protect it from potential damages from the relief sought.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Appearances are required on 11/14/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the	Represented By Thomas M Geher David W. Meadows Jerome S Cohen Carolyn A Dye
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Defendant(s):

Ace Gallery New York Corporation,	Represented By Alan W Forsley
Shirley Holst	Represented By Susan I Montgomery
Douglas Christmas	Represented By Alan W Forsley
Ace Gallery New York, Inc., a	Represented By Alan W Forsley
ACE MUSEUM, a California	Represented By Alan W Forsley
400 S La Brea, LLC a California	Represented By Kenderton S Lynch Michael W Vivoli Ashley M McDow Michael T Delaney
Jennifer Kellen	Represented By Jerome Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF	Represented By
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#17.00 Cont'd status conference re: Complaint for: (1) Avoidance, recovery, and preservation of fraudulent transfers; (2) Avoidance, recovery, and preservation of preferential transfers; (3) Turnover of property; (4) Avoidance and recovery of transfers; (5) Avoidance and recovery of post-petition transfers to defendant ACE Gallery New York Corporation; and (6) Disallowance of claims
fr. 11/7/17, 11/14/17, 1/30/18

Docket 1

***** VACATED *** REASON: Cont'd from 1/23/18 to 3/6/18 at 3:00 p.m.
per stip & order entered on 1/4/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/22/18. Continued by stipulation and order to 3/6/18 at 3:00 p.m. No appearances are required on 1/23/18.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

No updated tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/13/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings in light of the anticipated motion to consolidate related actions, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 23, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Prior tentative ruling as of 6/20/16. No tentative ruling on the merits.
Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/25/16. Off calendar. The court has reviewed plan agent's unilateral status report stating that the deadline for defendant's response was extended to 4/29/16 and that the matter is not yet at issue, and the court on its own motion continues the status conference to 6/21/16 at 1:30 p.m. pending defendant's response to the complaint. No appearances are required on 4/26/16.

No tentative ruling as of 2/22/16. Appearances are required on 2/23/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Ron Bender
Beth Ann R Young
Krikor J Meshefejian
Kurt Ramlo
David W. Meadows

Defendant(s):

Ace Gallery New York Corporation,

Pro Se

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#1.00 Cont'd hearing re: Motion for entry of order conditionally dismissing bankruptcy case fr.10/25/17, 12/13/17, 12/20/17

Docket 479

Tentative Ruling:

Updated tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 3/20/17. Appearances are required on 3/22/17.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. The court has concerns regarding the propriety of a "structured" dismissal (called "conditional" dismissal in the moving papers), i.e., whether the record is sufficient to warrant deviation from the normal procedures expressly provided in the Bankruptcy Code, i.e., a liquidating plan, case conversion or straight dismissal without conditions, or whether more broadly, whether structured dismissals are permitted at all, which may be at issue before the Supreme Court in *In re Jevic Holding Corp.*, 787 F.3d 173 (3rd Cir. 2015), cert. granted, *Czyzewski v. Jevic Holding Corp.* 136 S.Ct. 2541 (2016). See also, Transcript of Oral Argument, *Czyzewski v. Jevic Holding Corp.*, No. 15-649 (S.Ct., argued December 7, 2016); see also, e.g., Salerno, Hansen, Meyer, Schuster and Barsharis, *Advanced Chapter 11 Bankruptcy Practice*, Section 12.22 (2nd ed. online, 2016 Cum. Supp.); Greenberg, Smith and Taylor, "The Elephant Hiding in the Mousehole": *In re Jevic*, 2016 No. 10 Norton Bankr. L. Adviser NL 1 (online ed., October 2016); Pernick and Dean, "Structured Chapter 11 Dismissals: A Viable and Growing Alternative After Asset Sales," 29 *Am. Bankr. Inst. J.* 1 (June 2010); Eitel, Tinker and Lambert, "Structured Dismissals, or Cases Dismissed Outside of Code's Structure?", 30 *Am. Bankr. Inst. J.* 20 (March 2011). Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#2.00 CONT'D TRIAL RE: Final application for approval of compensation and expense reimbursement of Baker & Hostetler LLP fr. 10/25/17, 12/13/17, 12/20/17

Docket 482

Tentative Ruling:

Updated tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. Updated tentative ruling as of 5/11/17. No tentative ruling on the merits. The court will continue to take oral testimony from

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

witness Ashley McDow. Appearances are required on 5/12/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 5/1/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Marc Benezra. Appearances are required on 5/3/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#3.00 Cont'd hearing re: Motion for approval of chapter 11 disclosure statement
fr. 10/25/17, 12/13/17, 12/20/17

Docket 157

Tentative Ruling:

Updated tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Updated tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits.
Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits.
Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits.
Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits.
Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. No tentative ruling on the merits.
Appearances are required on 5/4/16, but counsel may appear by telephone.

Updated tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/15/14. Appearances are required on 4/16/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

and plan. Debtor has indicated that it intends to revise the disclosure statement to address objections of United States Trustee.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

Movant(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/25/17, 12/13/17, 12/20/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the status conference on its own motion to 12/13/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 12/13/17. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court has reviewed debtor's status report. In that the court is still deliberating on the final fee application of general bankruptcy counsel for debtor, the court continues the status conference on its own motion to 10/25/17 at 1:30 p.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Updated tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 1/25/16. The court has reviewed debtor's status report. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. No tentative ruling on the merits. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

No updated tentative ruling as of 4/15/14. Appearances are required on 4/16/14.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan.

Prior tentative ruling as of 3/10/14. No tentative ruling on the merits. Appearances are required on 3/12/14, but counsel may appear by telephone.

Updated tentative ruling as of 2/24/14. No tentative ruling on the merits. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/14. The court has reviewed debtor's status report and the comments of the secured creditor on status. No tentative ruling. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 11/19/13. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/13. No tentative ruling on the merits. Appearances are required on 10/9/13.

Updated tentative ruling as of 9/18/13. Off calendar. Continued at hearing on 9/17/13 to 10/9/13 at 11:30 a.m. No appearances required on 9/18/13.

Prior tentative ruling. The court has reviewed debtor's status report. No

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

tentative ruling on the merits. Appearances are required on 9/18/13, but counsel may appear by telephone.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#5.00 Cont'd hearing re: Disclosure statement
fr. 8/16/17, 11/15/17, 12/6/17

Docket 94

Tentative Ruling:

Updated tentative ruling as of 1/22/18. The amended disclosure statement is deficient and needs to be revised. First and foremost, no plan was attached to the disclosure statement, including Exhibits A and B, as well as the recently approved stipulation and order between debtor and secured creditor Christiana Trust. If debtor meant to attach the Plan last filed on 9/1/16, it should be updated to be accompany the amended disclosure statement. The court agrees with the objections of creditor Umbrella Investment Group that the amended disclosure statement lacks adequate information, including basic information about payment of general unsecured claims, how, what amounts and when. The last filed plan on 9/1/16 stated that general unsecured claims will be paid 100% and that debtor has rental income of \$8,300, but no information is provided as to how, when and what means to implement the plan, so creditors can evaluate feasibility. Financial projections of income and expense for the duration of the plan term are missing and should have been provided. Perhaps debtor's use of the form disclosure statement should be jettisoned, and debtor should use a narrative disclosure statement in plain English to describe what he proposes to the creditors in his plan. Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. Pending before the court is debtor's amendment to disclosure statement filed on 9/1/16, which has been noticed for hearing on 12/5/17. This amendment amends the original disclosure statement filed on 11/17/15. The original disclosure statement of 11/17/15 looks like a disclosure statement whereas the amendment filed on 9/1/16 does not. The amendment looks like an add-on amendment and does not contain sufficient information to constitute a disclosure statement that the court could approve and allow to be sent out to creditors. Debtor will have to draft an updated disclosure statement that is self-contained in order for the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins Chapter 11

plan to be considered by the court and creditors, and thus, the court will deny approval of the 9/1/16 amendment as debtor's disclosure statement.

Appearances are required on 12/5/17 to discuss how long it will take debtor to revise his disclosure statement, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. The court has reviewed debtor's notice that tax returns have been prepared and filed, and the court expects to discuss debtor's plans for filing an amended disclosure statement. Appearances are required on 11/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits. Debtor was to address accountant's opinion regarding tax consequences of proposed property sales. Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. Debtor will need to address United States Trustee's objection regarding the estimates of income taxes needed to cover capital gains liability, but it appears that the amended disclosure statement is otherwise approvable, despite the United States Trustee's style suggestion, which the court does not agree with. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits. Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits.

Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits.

Appearances are required on 5/18/16 to address the objections of the United States Trustee and objecting creditors, but counsel (other than debtor's counsel) may appear by telephone. Debtor should be prepared to discuss the treatment of each class of creditors since the proposed plan does not make it clear (e.g., 10 monthly payments for a number of classes, but no balloon payment stated). Perhaps debtor would have an easier time in not using the optional Chapter 11 form plan and disclosure statement and prepare a manually generated plan and disclosure statement and stating the proposed terms of the plan in a narrative.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits.

Appearances are required on 3/16/16, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. Debtor to address objections of United States Trustee and creditors to draft disclosure statement regarding adequacy of information. The source of funding of plan is unclear. No historical financial data or projections are provided, which should be provided for each property as well as the debtor's business and living expenses. Since it appears that this is probably a cramdown plan situation due to the dispute over appropriate interest rates on secured claims, Debtor should be prepared to discuss how he will prove the appropriate cramdown rates of interest (i.e., is debtor submitting expert witness opinion testimony on interest rates?) . Appearances are required on 1/13/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/16/17, 11/15/17, 12/6/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/22/18. No tentative ruling on the merits.
Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits.
Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits.
Appearances are required on 11/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits.
Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. No tentative ruling on the merits.
Appearances are required on 4/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits.
Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits.
Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits.
Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits.
Appearances are required on 9/21/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins Chapter 11

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits.
Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits.
Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits.
Appearances are required on 5/18/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits.
Appearances are required on 3/16/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/12/16. Appearances are required on
1/13/16, but counsel may appear by telephone.

No updated tentative ruling as of 11/23/15. Appearances are required on
11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 10/19/15. Appearances are required on
10/21/15, but counsel may appear by telephone

No updated tentative ruling as of 9/15/15. Appearances are required on
9/16/15, but counsel may appear by telephone.

No updated tentative ruling as of 9/8/15. Appearances are required on
9/9/15, but counsel may appear by telephone.

Prior tentative ruling as of 8/3/15. No tentative ruling on the merits.
Appearances are required on 8/5/15, but counsel may appear by telephone.

No updated tentative ruling as of 7/20/15. Appearances are required on
7/22/15, but counsel may appear by telephone.

No tentative ruling as of 7/6/15. Appearances are required on 7/8/15, but
counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

Movant(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#7.00 Status conference re: Motion for approval of second stipulation for use of cash collateral fr. 8/23/17, 10/25/17

Docket 69

Tentative Ruling:

Updated tentative ruling as of 1/22/18. This matter appears to be superseded by matter number 8, the motion for approval of the third stipulation for use of cash collateral, and should not be on calendar. Appearances are optional on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. Appearances are required on 10/25/17 since the parties have not filed a stipulation to extend authorization of use of cash collateral beyond 10/25/17, but counsel may appear by telephone.

Prior tentative ruling. Grant motion for approval of second stipulation for use of cash collateral for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 8/23/17, but counsel may appear by telephone. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#8.00 Hearing re: Motion for approval of third stipulation for use of cash collateral

Docket 149

Tentative Ruling:

Grant motion to approve third stipulation for use of cash collateral for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 1/24/18, but counsel may appear by telephone. Movant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#9.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/14/17, 8/30/17, 10/25/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/22/18. No tentative ruling on the merits.
Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits.
Appearances are required on 10/25/17, but counsel may appear by
telephone.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits.
Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 6/14/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

Shapphire Resources, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#10.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#10.10 Cont'd hearing re: Motion to use cash collateral stipulation with Pacific City Bank
fr. 12/13/17, 1/10/18

Docket 37

Tentative Ruling:

Updated tentative ruling as of 1/23/18. No tentative ruling. Debtor lodged proposed orders on the cash collateral stipulations with Prime Business Credit, Inc., and Pacific City Bank, providing for subordination of Pacific City Bank's superpriority claim to Prime's, but there is no indication of consent to the proposed order by Pacific City Bank since there is no sign off on the lodged orders by, or proof of service of the lodged orders on, Pacific City Bank, so the court cannot confirm that the lodged orders are consented to by Pacific City Bank. Appearances are required on 1/24/18, but counsel may appear by telephone.

No updated tentative ruling as of 1/22/18. Appearances are required on 1/24/18 to discuss status of discussions between debtor and secured lenders regarding language of proposed orders regarding priority of superpriority claims, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. The court is inclined to approve the cash collateral stipulation for the reasons stated in the moving papers and for lack of timely written objection. Movant needs to clarify that which secured creditor, Prime Business Credit, Inc., or Pacific City Bank, has greater priority on its superpriority claim since the cash collateral stipulations are conflicting since each gives the one creditor a superpriority over all other claims, including the other creditor's superpriority claim. Appearances are required on 1/10/18, but counsel may appear by telephone.

Prior tentative ruling. Service of motion to approve cash collateral stipulation is deficient because movant did not serve the 20 largest unsecured creditors pursuant to FRBP 4001(d)(1)(C) and 1007(d). Continue hearing for movant to give notice to these creditors as well. Appearances are required on 12/13/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... JC Fits, Inc.

Chapter 11

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#10.20 Cont'd hearing re: Motion to use cash collateral stipulation with Prime Business Credit, Inc.
fr. 12/13/17, 1/10/18

Docket 40

Tentative Ruling:

Updated tentative ruling as of 1/23/18. No tentative ruling. Debtor lodged proposed orders on the cash collateral stipulations with Prime Business Credit, Inc., and Pacific City Bank, providing for subordination of Pacific City Bank's superpriority claim to Prime's, but there is no indication of consent to the proposed order by Pacific City Bank since there is no sign off on the lodged orders by, or proof of service of the lodged orders on, Pacific City Bank, so the court cannot confirm that the lodged orders are consented to by Pacific City Bank. Appearances are required on 1/24/18, but counsel may appear by telephone.

No updated tentative ruling as of 1/22/18. Appearances are required on 1/24/18 to discuss status of discussions between debtor and secured lenders regarding language of proposed orders regarding priority of superpriority claims, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. The court is inclined to approve the cash collateral stipulation for the reasons stated in the moving papers and for lack of timely written objection. Movant needs to clarify that which secured creditor, Prime Business Credit, Inc., or Pacific City Bank, has greater priority on its superpriority claim since the cash collateral stipulations are conflicting since each gives the one creditor a superpriority over all other claims, including the other creditor's superpriority claim. Appearances are required on 1/10/18, but counsel may appear by telephone.

Prior tentative ruling. Service of motion to approve cash collateral stipulation is deficient because movant did not serve the 20 largest unsecured creditors pursuant to FRBP 4001(d)(1)(C) and 1007(d). Continue hearing for movant to give notice to these creditors as well. Appearances are required on 12/13/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

11:00 AM

CONT... JC Fits, Inc.

Chapter 11

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

Movant(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 24, 2018

Hearing Room 1675

2:00 PM

2:13-17409 Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

#11.00 Hearing re: Renewed motion of Foremost Groups, Inc. to amend the judgment of the bankruptcy court to add Tangshan Ayers Bath Equipment Co. Ltd. as judgment debtor

Docket 118

***** VACATED *** REASON: Cont'd from 1/24/18 to 2/7/18 at 2:00 p.m.
per order entered on 1/17/18-st**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/7/18 at 2:00 p.m. No appearances are required on 2/24/18.

Party Information

Debtor(s):

Ayers Bath (U.S.A.), Co.,Ltd.

Represented By
Jeffrey S Renzi
Ryan S Fife

Trustee(s):

Alfred H Siegel (TR)

Represented By
Anthony A Friedman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-15164 Fernando C Munchmeyer and Veronica Munchmeyer

Chapter 7

#1.00 Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 23

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Fernando C Munchmeyer

Represented By
Kenneth W Moffatt

Joint Debtor(s):

Veronica Munchmeyer

Represented By
Kenneth W Moffatt

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-18343 ALEXANDER GARCIA, Jr. and DONNA MARIE

Chapter 7

#2.00 Reaffirmation Agreement Between Debtor and AmeriCredit Financial Services, Inc.

Docket 17

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

ALEXANDER GARCIA Jr. Pro Se

Joint Debtor(s):

DONNA MARIE GARCIA Pro Se

Trustee(s):

Edward M Wolkowitz (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-19803 Juanita L Bailey

Chapter 7

#3.00 Reaffirmation Agreement Between Debtor and Sterling Jewelers Inc DBA Kay Jewelers

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juanita L Bailey

Pro Se

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-20107 Andrea M Cervantes

Chapter 7

#4.00 Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Andrea M Cervantes

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-20409 PABLO MARTINEZ and JACQUELINE MARTINEZ

Chapter 7

#5.00 Reaffirmation Agreement Between Debtor and United Consumer Financial Serv

Docket 16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

PABLO MARTINEZ

Represented By
Michael Poole

Joint Debtor(s):

JACQUELINE MARTINEZ

Represented By
Michael Poole

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-20497 Bryan Kevin Oliver and Dalila Emily Oliver

Chapter 7

#6.00 Reaffirmation Agreement Between Debtor and Nissan Motor Acceptance Corporation

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bryan Kevin Oliver

Represented By
Lauren M Foley

Joint Debtor(s):

Dalila Emily Oliver

Represented By
Lauren M Foley

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-20502 Rodrigo Nava

Chapter 7

#7.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rodrigo Nava

Represented By
Carlos A Delgado Ibarcena

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-20585 Leesa L. McLachlan

Chapter 7

#8.00 Reaffirmation Agreement Between Debtor and Ford Motor Credit Company LLC
(2016 Ford F150)

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Leesa L. McLachlan

Represented By
Joseph L Pittera

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-20632 Sei Yol Lee

Chapter 7

#9.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sei Yol Lee

Pro Se

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-20734 Dorothy Ellen Lieberman

Chapter 7

#10.00 Reaffirmation Agreement Between Debtor and Ally Financial

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dorothy Ellen Lieberman

Represented By
Raymond J Bulaon

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-20793 Anthony R. Bivona, Jr.

Chapter 7

**#11.00 Reaffirmation Agreement Between Debtor and Community America Credit Union
(2008 Jeep Cimmander)**

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Anthony R. Bivona Jr.

Represented By
Steven B Lever

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-20793 Anthony R. Bivona, Jr.

Chapter 7

#12.00 Reaffirmation Agreement Between Debtor and Community America Credit Union
(2010 Dodge Challenger)

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Anthony R. Bivona Jr.

Represented By
Steven B Lever

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-21225 Israel D Martinez and Blanca Polanco

Chapter 7

#13.00 Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 23

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Israel D Martinez

Represented By
Jerry Rulsky

Joint Debtor(s):

Blanca Polanco

Represented By
Jerry Rulsky

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-21242 Nieves P Bongolan

Chapter 7

#14.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation
(2009 Scion TC)

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nieves P Bongolan

Represented By
Michael T McGee

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-21242 Nieves P Bongolan

Chapter 7

#15.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation
(2014 Toyota Camry H)

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nieves P Bongolan

Represented By
Michael T McGee

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-21394 Sandra V. Pineda

Chapter 7

#16.00 Reaffirmation Agreement Between Debtor and CitiMortgage, Inc.

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sandra V. Pineda

Represented By
R Grace Rodriguez

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-21410 Mario Vasquez

Chapter 7

#17.00 Reaffirmation Agreement Between Debtor and American Honda Finance Corporation

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mario Vasquez

Represented By
David S Hagen

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-21503 Joaquin G LinanGomez and Juana E Juarez Venegas

Chapter 7

#18.00 Reaffirmation Agreement Between Debtor and Santander Consumer USA Inc.
dba Chrysler Capital as servicer for CCAP Auto Lease Ltd.

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joaquin G LinanGomez

Represented By
Lauren M Foley

Joint Debtor(s):

Juana E Juarez Venegas

Represented By
Lauren M Foley

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-21507 Marta Castaneda Huerta

Chapter 7

#19.00 Reaffirmation Agreement Between Debtor and Fifth Third Bank

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Marta Castaneda Huerta

Represented By
Lauren M Foley

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-21511 Martha L Cortez

Chapter 7

#20.00 Reaffirmation Agreement Between Debtor and TD Auto Finance LLC
(2016 Chevrolet Cruze)

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Martha L Cortez

Represented By
Carlos A Delgado Ibarcena

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-21562 Lloyd Frederick Brion Damicog

Chapter 7

#21.00 Reaffirmation Agreement Between Debtor and Schools First FCU

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lloyd Frederick Brion Damicog Pro Se

Trustee(s):

Heide Kurtz (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-21641 Jose Garcia Lopez

Chapter 7

#22.00 Reaffirmation Agreement Between Debtor and Wells Fargo Dealer Services

Docket 19

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Garcia Lopez

Pro Se

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-21936 Samuel Chea

Chapter 7

#23.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Samuel Chea

Represented By
Anthony E Contreras

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-21956 Jose Juan Cervantes

Chapter 7

#24.00 Reaffirmation Agreement Between Debtor and Sol Acceptance

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Juan Cervantes

Represented By
Omar Zambrano

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-21967 Michael Anthony Brouckaert and Sara Margarita De

Chapter 7

#25.00 Reaffirmation Agreement Between Debtor and Gateway One Lending & Finance

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Anthony Brouckaert

Represented By
Omar Zambrano

Joint Debtor(s):

Sara Margarita De Santiago

Represented By
Omar Zambrano

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22029 Heraclio Lopez Conde and Blanca Yolanda Lopez

Chapter 7

#26.00 Reaffirmation Agreement Between Debtor and Citizens One Auto Finance

Docket 18

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Heraclio Lopez Conde

Represented By
Lauren M Foley

Joint Debtor(s):

Blanca Yolanda Lopez

Represented By
Lauren M Foley

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22029 Heraclio Lopez Conde and Blanca Yolanda Lopez

Chapter 7

#27.00 Reaffirmation Agreement Between Debtor and American Honda Finance Corporation

Docket 21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Heraclio Lopez Conde

Represented By
Lauren M Foley

Joint Debtor(s):

Blanca Yolanda Lopez

Represented By
Lauren M Foley

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22033 Irene Ramirez Leyva

Chapter 7

#28.00 Reaffirmation Agreement Between Debtor and TD Auto Finance LLC
(2013 Nissan Pathfinder)

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Irene Ramirez Leyva

Represented By
Lauren M Foley

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22258 Rose Michelle Romero

Chapter 7

#29.00 Reaffirmation Agreement Between Debtor and Kia Motors Finance

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rose Michelle Romero

Represented By
Sevag Nigoghosian

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22339 Angelina Samoranos Naagas De Carreon

Chapter 7

#30.00 Reaffirmation Agreement Between Debtor and Alaska USA Federal Credit Union

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Angelina Samoranos Naagas De

Represented By
Michael E Clark

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22357 Wilbert Richardson

Chapter 7

#31.00 Reaffirmation Agreement Between Debtor and Santander Consumer USA Inc.

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wilbert Richardson

Represented By
David S Hagen

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22365 OSIEL FRANCO FLORES

Chapter 7

#32.00 Reaffirmation Agreement Between Debtor and Hyundai Capital America dba KIA
Motors Finance

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

OSIEL FRANCO FLORES

Represented By
Lisa F Collins-Williams

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22454 Lidia D Chicas Montoya

Chapter 7

#33.00 Reaffirmation Agreement Between Debtor and Ford Motor Credit Company LLC
(2015 Ford Mustang)

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lidia D Chicas Montoya

Represented By
Sydell B Connor

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22500 Gisela Isabel Verano

Chapter 7

#34.00 Reaffirmation Agreement Between Debtor and Santander Consumer USA Inc.

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gisela Isabel Verano

Represented By
Peter M Lively

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22615 Daniel Felix and Hilda Felix

Chapter 7

#35.00 Reaffirmation Agreement Between Debtor and CarMax Auto Finance

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Daniel Felix

Represented By
Nicholas W Gebelt

Joint Debtor(s):

Hilda Felix

Represented By
Nicholas W Gebelt

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22673 Morgan Barrera

Chapter 7

#36.00 Reaffirmation Agreement Between Debtor and Kinecta Federal Credit Union

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Morgan Barrera

Represented By
Lauren M Foley

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22773 Dikeba D Gross

Chapter 7

#37.00 Reaffirmation Agreement Between Debtor and Ally Financial

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dikeba D Gross

Pro Se

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22773 Dikeba D Gross

Chapter 7

#38.00 Reaffirmation Agreement Between Debtor and OneMain Financial Services

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dikeba D Gross

Pro Se

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22784 Ricardo Alvarez

Chapter 7

#39.00 Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ricardo Alvarez

Represented By
Raymond Perez

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22841 Crescencio Carreto Moreno

Chapter 7

#40.00 Reaffirmation Agreement Between Debtor and Ally Financial

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Crescencio Carreto Moreno

Represented By
Omar Zambrano

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22844 Carol E Provo

Chapter 7

#41.00 Reaffirmation Agreement Between Debtor and Kia Motors Finance

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carol E Provo

Pro Se

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-22844 Carol E Provo

Chapter 7

#42.00 Reaffirmation Agreement Between Debtor and AmeriCredit Financial Services, Inc. dba GM Financial

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carol E Provo

Pro Se

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23090 BRYAN RIOS and CHRISTINA M RIOS

Chapter 7

#43.00 Reaffirmation Agreement Between Debtor and A-L Financial Corp.

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

BRYAN RIOS

Represented By
Lisa F Collins-Williams

Joint Debtor(s):

CHRISTINA M RIOS

Represented By
Lisa F Collins-Williams

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23090 BRYAN RIOS and CHRISTINA M RIOS

Chapter 7

#44.00 Reaffirmation Agreement Between Debtor and Santander Consumer USA Inc.

Docket 17

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

BRYAN RIOS

Represented By
Lisa F Collins-Williams

Joint Debtor(s):

CHRISTINA M RIOS

Represented By
Lisa F Collins-Williams

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23117 Cynthia A Bornia

Chapter 7

#45.00 Reaffirmation Agreement Between Debtor and BMW Financial Services NA, LLC

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cynthia A Bornia

Represented By
David S Hagen

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23131 Derek Kahle

Chapter 7

#46.00 Reaffirmation Agreement Between Debtor and Wells Fargo Bank, N.A.

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Derek Kahle

Pro Se

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23192 Rebecca J Kelley

Chapter 7

#47.00 Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rebecca J Kelley

Represented By
David R Hagen

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23212 Eric Lewis

Chapter 7

#48.00 Reaffirmation Agreement Between Debtor and TD Auto Finance LLC
(2013 Hyundai Elantra)

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eric Lewis

Represented By
Emilia N McAfee

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23226 Rosa Maria Villatoro

Chapter 7

**#49.00 Reaffirmation Agreement Between Debtor and Cab West, LLC
(2016 Ford Explorer)**

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rosa Maria Villatoro

Pro Se

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23277 Dolores R Trevino

Chapter 7

#50.00 Reaffirmation Agreement Between Debtor and American Honda Finance Corporation

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dolores R Trevino

Pro Se

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23503 Christie Marie Roberts

Chapter 7

#51.00 Reaffirmation Agreement Between Debtor and Flagship Credit Acceptance

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christie Marie Roberts

Represented By
Allan D Sarver

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23511 Trevor Knute Rodgers and Barbara Karen Rodgers

Chapter 13

#52.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Trevor Knute Rodgers

Represented By
Sanaz S Bereliani

Joint Debtor(s):

Barbara Karen Rodgers

Represented By
Sanaz S Bereliani

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23534 Dolores Villicana

Chapter 7

#53.00 Reaffirmation Agreement Between Debtor and First City Credit Union

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dolores Villicana

Pro Se

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23567 Brenda V Tortajada

Chapter 7

#54.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brenda V Tortajada

Represented By
Regina Zeltser

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23610 Teronda Lavette Bradley

Chapter 7

#55.00 Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Teronda Lavette Bradley

Pro Se

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23642 Steve Castro

Chapter 7

#56.00 Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Steve Castro

Represented By
Lisa F Collins-Williams

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-23841 Kimberly G Galindo

Chapter 7

#57.00 Reaffirmation Agreement Between Debtor and Daimler Trust

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kimberly G Galindo

Represented By
Gregory Grigoryants

Trustee(s):

David M Goodrich (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-24265 Mark James McCurry

Chapter 7

#58.00 Reaffirmation Agreement Between Debtor and Caravana LLC

Docket 11

*** VACATED *** REASON: Withdrawn per entry no. 13 on 12/21/17-
mb.

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mark James McCurry

Represented By
David A Tilem

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-24265 Mark James McCurry

Chapter 7

#59.00 Reaffirmation Agreement Between Debtor and Carvana, LLC

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mark James McCurry

Represented By
David A Tilem

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-24291 Fernando Esqueda

Chapter 7

#60.00 Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Fernando Esqueda

Represented By
Sevag Nigoghosian

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

9:30 AM

2:17-24625 Cynthia Jean Hampton-Freeman

Chapter 7

#61.00 Reaffirmation Agreement Between Debtor and OneMain Financial Services

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cynthia Jean Hampton-Freeman

Represented By
Omar Zambrano

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

10:30 AM

2:15-18338 Phoenix Home Restorations LLC

Chapter 7

#62.00 EVIDENTIARY HEARING RE: Motion for relief from stay
(Center Street Lending Fund IV, LLC VS Debtor)
fr. 8/23/17, 9/27/17, 12/7/17

Property re: 225 West Forest Street, Brigham City, UT 84302

Docket 42

***** VACATED *** REASON: Resolved by stip & order entered on 1/10/18
-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/17/18. Off calendar. Matter resolved by stipulation and order. No appearances are necessary.

Revised tentative ruling as of 12/6/17. Off calendar. Continued by stipulation and order to 1/25/18 at 10:30 a.m. No appearances are required on 12/7/17.

Prior tentative ruling as of 9/25/17. No tentative ruling on the merits. Appearances are required on 9/27/17 to reschedule date for evidentiary hearing, but counsel may appear by telephone.

Prior tentative ruling as of 8/23/17. Off calendar. Continued by stipulation and order to 9/27/17 at 11:00 a.m. No appearances are required on 8/23/17.

Revised tentative ruling as of 7/25/17. Off calendar. Continued by stipulation and order to 8/23/17 at 11:00 a.m. No appearances are required on 7/26/17.

Revised and updated tentative ruling as of 6/13/17. Off calendar. Continued by stipulation and order to 7/26/17 at 11:00 a.m. No appearances are required on 6/14/17.

Revised and updated tentative ruling as of 5/16/17. Off calendar. Continued by stipulation and order to 6/14/17 at 11:00 a.m. No appearances are required on 5/17/17.

Revised and updated tentative ruling as of 4/17/17 at 5:00 p.m. Off calendar.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

10:30 AM

CONT... Phoenix Home Restorations LLC

Chapter 7

Continued by stipulation and order to 5/17/17 at 11:00 a.m. No appearances are required on 4/19/17.

Prior tentative ruling as of 2/27/17. No tentative ruling on the merits. Appearances are required on 2/28/17 to reschedule date for evidentiary hearing, but counsel may appear by telephone.

Prior revised tentative ruling as of 1/18/17. Off calendar. The court has been informally advised by counsel for trustee that the parties are not ready for the scheduled evidentiary hearing and that counsel for movant was unavailable to appear on 1/18/17. The court will continue the hearing at the parties' request to 2/28/17 at 11:00 a.m. for a status conference to reschedule a trial date as the court does not have available trial dates during the weeks requested by counsel for trustee. No tentative ruling on the merits. Counsel for trustee is ordered to file and serve a written notice of continuance on counsel for movant. No appearances are required on 1/18/17.

Prior tentative ruling as of 12/14/16. Off calendar. Continued by stipulation and order to 1/18/17 at 2:00 p.m. (note: change in date and time from requested due to scheduling conflict with trial set in another case). No appearances are required on 12/15/16.

Prior tentative ruling as of 12/8/16. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 12/15/16.

Updated tentative ruling as of 10/25/16. Off calendar. Continued by stipulation and order to 12/15/16 at 9:00 a.m. No appearances are required on 10/27/16.

Prior tentative ruling as of 7/6/16. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 7/8/16.

Revised tentative ruling as of 5/23/16 at 5:30 p.m. Off calendar. Continued by stipulation and order to 7/8/16 at 9:00 a.m. (note: change in date from what was requested in the stipulation). No appearances are required on 5/26/16.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, January 25, 2018

Hearing Room 1675

10:30 AM

CONT... Phoenix Home Restorations LLC Chapter 7

Prior tentative ruling as of 4/25/16. Off calendar. Continued by stipulation and order to 5/26/16 at 9:00 a.m. No appearances are required on 4/29/16.

Prior tentative ruling as of 1/26/16. Off calendar. Continued by stipulation and order to 4/29/16 at 9:00 a.m. No appearances are required on 1/29/16.

Prior tentative ruling as of 1/21/16. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 1/29/16.

No tentative ruling as of 11/16/15. Appearances are required on 11/17/15, but counsel may appear by telephone.

Party Information

Debtor(s):

Phoenix Home Restorations LLC	Pro Se
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Movant(s):

Center Street Lending Fund V, LLC	Represented By Michelle R Ghidotti
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Trustee(s):

Wesley H Avery (TR)	Represented By Robert M Aronson
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, January 26, 2018

Hearing Room 1675

1:30 PM

2:16-18600 Jens Larsen

Chapter 7

Adv#: 2:16-01446 Perske v. Larsen

#1.00 Cont'd hearing re: Plaintiff Jacquelynn Perske's motion in limine no. 2 to exclude evidence or argument relating to the "advice of counsel" defense fr. 10/26/17, 11/9/17, 1/22/18

Docket 115

Tentative Ruling:

Updated tentative ruling as of 1/25/18. No tentative ruling will be issued for trial. Appearances are required on 1/26/18.

Prior tentative ruling as of 1/18/18. No tentative ruling will be issued for trial. Appearances are required at the rescheduled time of 10:00 a.m.

No updated tentative ruling as of 10/31/17. Appearances are required on 11/9/17.

No tentative ruling as of 10/23/17. Appearances are required on 10/26/17.

Party Information

Debtor(s):

Jens Larsen

Represented By
Matthew D Resnik

Defendant(s):

Jens F Larsen

Represented By
Joseph W Kellener

Plaintiff(s):

Jacquelynn Perske

Represented By
Damion Robinson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, January 26, 2018

Hearing Room 1675

1:30 PM

CONT... Jens Larsen

Chapter 7

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Carmela Pagay
Diane C Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, January 26, 2018

Hearing Room 1675

1:30 PM

2:16-18600 Jens Larsen

Chapter 7

Adv#: 2:16-01446 Perske v. Larsen

#2.00 CONT'D TRIAL RE: Complaint for (1) determination of non-dischargeability of debt pursuant to 11 U.S.C. §523; and (2) denial of discharge pursuant to 11 U.S.C. §723 fr. 10/27/17, 11/9/17, 1/22/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/25/18. No tentative ruling will be issued for trial. The court has been advised that defendant is not available to appear for further examination on 1/26/18, so his further examination will be rescheduled. Appearances are required on 1/26/18 to discuss procedural matters and scheduling of further trial proceedings.

Prior tentative ruling as of 1/18/18. No tentative ruling will be issued for trial. Appearances are required at the rescheduled time of 10:00 a.m.

No updated tentative ruling as of 10/31/17. Appearances are required on 11/9/17.

Prior tentative ruling as of 1/9/17. The court has reviewed plaintiff's unilateral status report. No updated tentative ruling on the merits. Appearances are required on 1/10/17.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 12/6/16.

Party Information

Debtor(s):

Jens Larsen

Represented By
Steven L. Kimmel

Defendant(s):

Jens F Larsen

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, January 26, 2018

Hearing Room 1675

1:30 PM

CONT... Jens Larsen

Chapter 7

Plaintiff(s):

Jacquelynn Perske

Represented By
Darrel C Menthe

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

10:30 AM

2:16-17064 Maria Virginia Marti

Chapter 7

#1.00 Cont'd hearing re: Motion for relief from stay
(U.S. Bank Trust N.A. VS Debtor)
fr. 11/28/17, 1/9/18

Docket 60

Tentative Ruling:

Updated tentative ruling as of 1/29/18. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Grant request for extraordinary relief in paragraph 3 regarding negotiations to enter into a potential forbearance agreement. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Prior tentative ruling as of 1/8/18. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling. Deny motion for stay relief under 11 U.S.C. 362(d)(1) and (2) as movant fails to provide any evidence of valuation to meet its burden of showing debtors' lack of equity in the subject property under 11 U.S.C. 362(g)(1).

Deny motion for stay relief under 11 U.S.C. 362(d)(4) as movant fails to provide any evidence to support a basis for relief either multiple bankruptcy filings or unconsented to transfers. As alleged in paragraph 6 of the motion,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

10:30 AM

CONT...

Maria Virginia Marti

Chapter 7

the only evidence of an "unconsented to:" transfer was the 2004 grant deed transferring the title "to" debtors, not "from" them, which does not support any claim under 11 U.S.C. 362(d)(4) since among other things, this 2004 deed predates movant's 2006 trust deed.

Deny request for stay relief from the co-debtor stay of 11 U.S.C. 1201(a) or 1301(a) since the co-debtor stay does not exist in a Chapter 7 bankruptcy case such as this one, and so there is no co-debtor stay to obtain relief from.

Deny requests for extraordinary relief under paragraphs 8 and 10 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

The moving papers are so seriously deficient that it indicates a level of practice below what is expected of practitioners before this court and that either signing counsel did not sufficiently read, review and proofread these papers, or staff who prepared the papers for counsel is not sufficiently trained, or both.

Appearances are required on 11/28/17.

Party Information

Debtor(s):

Maria Virginia Marti

Represented By
Anita Khachikyan

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

10:30 AM

2:17-20660 Welton Gralin Perkins

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Wells Fargo Bank, N.A. VS Debtor)

Docket 18

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Welton Gralin Perkins

Represented By
Steven A Alpert

Movant(s):

Wells Fargo Bank, N.A. dba Wells

Represented By
Jennifer H Wang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

10:30 AM

CONT... Welton Gralin Perkins

Chapter 7

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

10:30 AM

2:17-22186 Ali Nazari

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Bank of America, N.A. VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Ali Nazari

Represented By
Sina Maghsoudi

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

10:30 AM

2:17-22343 Ryan Sangyeon Cho

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Mercedes-Benz Financial Services USA LLC VS Debtor)

Docket 10

***** VACATED *** REASON: Notice of voluntary dismissal filed on
1/15/18-mb.**

Tentative Ruling:

Off calendar. Notice of voluntary dismissal filed on 1/15/18. No appearances are necessary.

Party Information

Debtor(s):

Ryan Sangyeon Cho

Represented By
Kelly K Chang

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

10:30 AM

2:17-23563 Nadia Cherif

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(U.S. Bank N.A. VS Debtor)

Docket 16

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4), including retroactive annulment of stay, to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny relief for extraordinary relief in paragraph 10 since the court is granting in rem relief under 11 U.S.C. 362(d)(4). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Nadia Cherif

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

10:30 AM

2:17-24351 MARISOL LIZALDE

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Seterus, Inc. VS Debtor)

Docket 14

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

MARISOL LIZALDE

Represented By
Jorge A Meza

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

10:30 AM

2:17-25125 Christopher K Uzeta

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(The Grovelands 2002, LLC VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 3 to confirm no stay in effect for lack of legal authority and/or evidentiary support. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Christopher K Uzeta

Represented By
James D. Hornbuckle

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

10:30 AM

2:18-10068 Manuel Terrazas

Chapter 7

#8.00 Hearing re: Motion in individual case for order imposing a stay or continuing the automatic stay as the court deems appropriate
Property: 23923 Francisco Way; Valencia, CA 91354

Docket 26

***** VACATED *** REASON: Granted per order entered on 1/24/18-mb.**

Tentative Ruling:

Off calendar. Having considered the moving papers and the lack of timely written opposition, the court has determined that oral argument is not necessary, dispensed with it, vacated the hearing, took the motion under submission, and issued a written order granting motion to continue automatic stay. No appearances are required on 1/30/18.

Party Information

Debtor(s):

Manuel Terrazas

Represented By
Leslie Richards

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

11:00 AM

2:17-12087 Leala M. Simich

Chapter 7

#9.00 Cont'd hearing re: Motion for relief from stay
(U.S. Bank National Association VS Debtor)
fr. 5/23/17, 8/15/17, 11/28/17

Docket 10

***** VACATED *** REASON: Cont'd from 1/30/18 to 3/27/18 at 11:00 a.m.
per stip & order entered on 1/22/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/29/18. Off calendar. Continued by stipulation and order to 3/27/18 at 11:00 a.m. No appearances are required on 1/30/18.

Revised tentative ruling as of 11/27/17. Off calendar. Continued by stipulation and order to 1/30/18 at 10:30 a.m. No appearances are required on 11/28/17.

Prior tentative ruling. As indicated in debtor's response of non-opposition to the motion, It appears that the subject property is not property of the estate since there was a marital dissolution judgment in 2010 between debtor and her former spouse, which allocated the property to the former spouse as his separate property in the their division of marital property. Thus, the motion should be granted under 11 U.S.C. 362(d)(1) for cause since the property does not appear to be property of the estate. Appearances are required on 5/23/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Leala M. Simich

Represented By
Jennifer Ann Aragon

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#10.00 Cont'd status conference re: Complaint: 1) objecting to discharge
2) breach of contract 3) breach of implied covenant of good faith
and fair dealing 4) conversion 5) negligence 6) breach of fiduciary duty
7) constructive fraud 8) fraudulent concealment 9) wrongful foreclosure
10) interference with prospective economic advantage
fr. 5/30/17, 8/1/17, 9/5/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits.
Appearances are required on 1/30/18.

No tentative ruling as of 9/1/17. Appearances are required on 9/5/17.

No tentative ruling as of 7/31/17. Appearances are required on 8/1/17, but
counsel and self-represented party may appear by telephone in accordance
with the court's telephone appearance procedures.

Updated tentative ruling as of 5/26/17. No tentative ruling on the merits.
Appearances are required on 5/30/17, but counsel and self-represented party
may appear by telephone in accordance with the court's telephone
appearance procedures.

Updated tentative ruling as of 2/27/17. No tentative ruling on the merits.
Appearances are required on 2/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/13/17. No tentative ruling on the merits.
Appearances are required on 2/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/16. No tentative ruling on the merits.
Appearances are required on 12/6/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison Chapter 7

Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits.
Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/18/16. No tentative ruling on the merits.
Appearances are required on 4/19/16, but counsel may appear by telephone.

Party Information

Attorney(s):

Deborah Bronner	Represented By Deborah R Bronner
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Debtor(s):

Rita Gail Farris-Ellison	Represented By James Bryant
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Defendant(s):

Rita Gail Farris-Ellison	Represented By James Bryant
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Just that EZ Financial	Pro Se
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Lenders Escrow Inc	Pro Se
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Does 1 Through 100 Inclusive	Pro Se
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Mediator(s):

David A. Gill	Pro Se
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Plaintiff(s):

James Lee Clark	Represented By Justin D Graham
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Trustee(s):

Sam S Leslie (TR)	Represented By Christian T Kim
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Sam S Leslie (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#10.10 Cont'd hearing re: Motion of plaintiff/creditor James Lee Clark for an order compelling discovery and sanctions against defendant/debtor Rita Ellison-Farris fr. 1/16/18

Docket 351

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

Updated tentative ruling as of 1/12/18. Plaintiff moves to compel discovery to defendant with respect to: (1) his request for admissions, (2) his interrogatories and (3) his requests for production of documents. As to the request for admissions, the motion is unnecessary because if the requests for admissions are properly served, the requested matters for admission are deemed admitted if not timely denied. As to the interrogatories, the motion should be denied because the interrogatories are invalid because plaintiff did not sign them. On the copy of the interrogatories attached to the motion, there is no signature of plaintiff on his interrogatories as required by Federal Rule of Bankruptcy Procedure 9011(a). Plaintiff will need to sign them before he can move to compel defendant to respond to them. As to the request for production of documents, the motion does not comply with Local Bankruptcy Rule 9026-1(c) because plaintiff has not submitted a discovery dispute stipulation to be completed by both parties as to their positions on the discovery dispute. Plaintiff appears to have met the requirement of a meet and confer request to defendant's counsel, to which there was apparently no response, but plaintiff still needs to submit the joint discovery dispute stipulation required by Local Bankruptcy Rule 7026-1(c). The court wants the parties to conduct a meet and confer meeting regarding the interrogatories and the request for production of documents once plaintiff signs the interrogatories. Appearances are required on 1/16/18, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:14-01088 Clark v. Farris-Ellison

- #11.00** Cont'd status conference re: Creditor, James Lee Clark's complaint to determine nondischargeability of debtors/defendant's debt [Pursuant to 11 U.S.C. §523(a)(2); 11 U.S.C. §523(a)(6)] fr. 5/30/17, 8/1/17, 9/5/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

No tentative ruling as of 9/1/17. Appearances are required on 9/5/17.

No tentative ruling as of 7/31/17. Appearances are required on 8/1/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 5/26/17. No tentative ruling on the merits. Appearances are required on 5/30/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 2/27/17. No tentative ruling on the merits. Appearances are required on 2/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/13/17. No tentative ruling on the merits. Appearances are required on 2/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/16. No tentative ruling on the merits. Appearances are required on 12/6/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits. Appearances are required on 10/4/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits.
Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/18/16. No tentative ruling on the merits.
Appearances are required on 4/19/16, but counsel may appear by telephone.

No updated tentative ruling as of 2/22/16. Appearances are required on
2/23/16.

No updated tentative ruling as of 8/24/15. Appearances are required on
8/25/15.

No tentative ruling as of 4/27/15. Appearances are required on 4/28/15.

Updated tentative ruling as of 3/9/15. No tentative ruling on the merits.
Appearances are required on 3/10/15. Defendant to address why there is no
proof of service of answer filed on 2/10/15.

Prior tentative ruling as of 11/17/14. No tentative ruling on the merits.
Appearances are required on 11/18/14.

Updated tentative ruling as of 9/29/14. The status conference will be
conducted on the 3:00 p.m. calendar with the hearing on the motion for
summary judgment. No tentative ruling on the merits. Appearances are
required on 9/30/14 at 3:00 p.m., not 1:30 p.m.

Prior tentative ruling as of 6/23/14. No tentative ruling on the merits.
Appearances are required on 6/24/14.

Updated tentative ruling as of 5/12/14. No tentative ruling on the merits.
Appearances are required on 5/13/14 to discuss status of state court
proceedings, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. The court notes
procedural problems with the adversary proceeding: (1) first, plaintiff has not
served counsel for debtors as required by Rule 7004(g) of the Federal Rules
of Bankruptcy Procedure; (2) plaintiff is seeking the same relief as in the prior

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison Chapter 7

adversary proceeding, which was dismissed, and there may be a bar against such relitigation by claim or issue preclusion. Appearances are required on 4/15/14.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

Sam S Leslie (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

2:12-30028 MEHRDAD TAHERIPOUR

Chapter 7

Adv#: 2:13-01443 Gill v. Nexgen Energy Holdings PCC

#12.00 Cont'd status conference re: Trustee's complaint to avoid and recover for fraudulent transfer; and for preliminary injunctions fr. 6/6/17, 9/26/17, 11/28/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/29/17. Off calendar. The court has reviewed plaintiff's unilateral status report and noted that the docket reflects that default has been entered against defendant Shetabi on the third amended complaint. The court on its own motion continues the status conference for about 60 days to 3/27/18 at 1:30 p.m. to allow time for plaintiff to file a renewed motion for entry of default judgment. No appearances are required on 1/30/18.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 9/25/17. No tentative ruling on the merits. Appearances are required on 9/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/5/17. The court has reviewed trustee's unilateral status report. No tentative ruling on the merits. Appearances are required on 6/6/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/7/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits. Appearances are required on 1/10/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/16. The parties in their joint status report indicated that they had an interest in mediation. Perhaps the parties can

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

consider and discuss the possibility to refer the matter first to mediation before proceeding with full-blown litigation of the remaining claims. Appearances are required on 10/11/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/2/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/6/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 6/20/16. The court has reviewed the joint status report of some of the parties appearing in this matter, including the attached statement of the Burris Parties, as well as the separate status statement of Eric Herrera.

The court also notes the parties used an obsolete version of the Joint Status Report form from December 2012, and in the future, the parties should use the current version of the form adopted in December 2015. The new joint status report form solicits the parties' positions as to whether they consent to the bankruptcy court's determination of noncore claims in light of *Stern v. Marshall*, 131 S.Ct. 2594 (2011), *Executive Benefits Insurance Agency v. Arkison*, 134 S.Ct. 2165 (2014) and *Wellness International Network, Ltd. v. Sharif*, 135 S.Ct. 1932 (2015). If consent of all parties is given, the bankruptcy court will enter a final judgment, but if consent of all parties is not given, then the court will issue proposed findings of fact and conclusions of law for de novo review by the district court. *Id.*

Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 12/8/2014. Off calendar. The court has issued an order vacating the hearings and taking the matters under submission.

Revised tentative ruling as of 12/2/14. Off calendar. The court continues the status conference on its motion to 12/9/14 at 2:00 p.m. due to congestion on the court's calendar, its continuing deliberation on the various dismissal motions. and the inclement weather today. No appearances are required on 12/2/14.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

Prior tentative ruling as of 12/1/14. No tentative ruling. Appearances are required on 12/2/14. Counsel may appear telephonically.

Prior tentative ruling as of 11/24/14. Off calendar. The status conference is continued on the court's own motion to 12/2/14 at 3:30 p.m. in light of the continuances of the pending motions to dismiss. No appearances are required on 11/25/14.

Tentative ruling as of 11/17/14. Off calendar, continued to 11/25/14 at 3:30 p.m. by order entered 11/17/14. Appearances are not required on 11/18/14.

Updated tentative ruling as of 8/25/14. Off calendar. The court on its own motion continues the status conference to 9/23/14 at 2:30 p.m. to be conducted with the hearings on the defendants' motions to dismiss the third amended complaint. No appearances are required on 8/26/14

Prior tentative ruling as of 7/28/14. Off calendar. The court has reviewed the appearing parties' status report and continues the status conference to 8/26/14 at 1:30 p.m. in light of the dismissal of the second amended complaint and the time for filing and serving a third amended complaint has not expired. No appearances are required on 7/29/14

Prior tentative ruling as of 6/2/14. Off calendar. The court has reviewed the appearing parties' status report and continues the status conference to 7/29/14 at 1:30 p.m. in light of the pending motions of several defendants to dismiss to be heard on 6/17/14 and 7/8/14 and in light of plaintiff's continuing efforts to effect service of process on other defendants. No appearances are required on 6/3/14

Prior tentative ruling as of 1/13/14. Off calendar. To be heard at 3:00 p.m. calendar with plaintiff's motion to file amended complaint. Appearances are required on 3:00 p.m. calendar, not at 1:30 p.m..

No updated tentative ruling as of 11/25/13. Appearances are required on 11/26/13, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

Prior tentative ruling. The court has reviewed the joint status report. Appearances are required on 10/15/13 to discuss scheduling and the status of mediation since the parties do not agree. Since the parties intend to bring cross-motions for summary judgment, the court request the parties to discuss and consider trying the case on stipulated facts in lieu of cross-motions for summary judgment.

Prior tentative ruling The court has reviewed the joint status report. Appearances are required on 6/11/13 to discuss scheduling and mediation since the parties do not agree.

Party Information

Debtor(s):

MEHRDAD TAHERIPOUR

Represented By
Alan F Broidy

Defendant(s):

Nexgen Energy Holdings PCC

Pro Se

Plaintiff(s):

DAVID Gill

Represented By
Nathan D Meyer

Trustee(s):

David A Gill (TR)

Pro Se

David A Gill (TR)

Represented By
David A Gill (TR)

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11
Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#13.00 Cont'd status conference re: Complaint for: (1) Avoidance, recovery, and preservation of fraudulent transfers; (2) Avoidance, recovery, and preservation of preferential transfers; (3) Turnover of property; (4) Avoidance and recovery of transfers; (5) Avoidance and recovery of post-petition transfers to defendant ACE Gallery New York Corporation; and (6) Disallowance of claims
fr. 9/26/17, 11/7/17, 11/14/17

Docket 1

***** VACATED *** REASON: Rescheduled from 1/30/18 to 1/23/18 at 3:00 p.m. per stip & order entered on 11/28/17-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/29/18. Off calendar. Rescheduled to 1/23/18 at 3:00 p.m. by stipulation and order. No appearances are required on 1/30/18.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

No updated tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/13/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings in light of the anticipated motion to consolidate related actions, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Prior tentative ruling as of 6/20/16. No tentative ruling on the merits. Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/25/16. Off calendar. The court has reviewed plan agent's unilateral status report stating that the deadline for defendant's response was extended to 4/29/16 and that the matter is not yet at issue, and the court on its own motion continues the status conference to 6/21/16 at 1:30 p.m. pending defendant's response to the complaint. No appearances are required on 4/26/16.

No tentative ruling as of 2/22/16. Appearances are required on 2/23/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Ron Bender
Beth Ann R Young
Krikor J Meshefejian
Kurt Ramlo
David W. Meadows

Defendant(s):

Ace Gallery New York Corporation,

Pro Se

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

2:16-16503 Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01383 Richards, Individually and as Trustee of the Gwend v. Bishop

#14.00 Status conference re: Complaint for: nondischargeability of debts pursuant to 11 U.S.C. §523(a)(2)(A); 11 U.S.C. §523(a)(4); and §523(a)(6) fr. 8/29/17, 9/27/17, 10/11/17, 11/28/17, 12/19/17

Docket 1

***** VACATED *** REASON: Cont'd from 1/30/18 to 2/27/18 at 1:30 p.m.
per order entered on 1/24/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/29/18. Off calendar. Because the court takes the pending motions under submission, is continuing review of the papers, the court on its own motion has issued an order continuing the status conference to 2/27/18 at 1:30 p.m. No appearances are required on 1/30/17.

Prior tentative ruling as of 12/18/17. Off calendar. Because the court takes the pending motions under submission and vacates the hearings on the motions, the court has issued an order further continuing the status conference to 1/30/18 at 1:30 p.m. No appearances are required on 12/19/17.

Prior tentative ruling as of 10/10/17. Off calendar. Because the court takes the pending motions under submission and vacates the hearings on the motions, the court vacates the pretrial conference on 10/11/17, but sets a further status conference for 11/28/17 at 1:30 p.m.

ses with further oral argument, vacates the hearing on 10/11/17 and takes the motion under submission. A written ruling will be issued shortly. No appearances are required on 10/11/17.

Updated tentative ruling as of 10/10/17. No tentative ruling on the merits. Appearances are required on 10/11/17, but counsel may appear by telephone.

Revised tentative ruling as of 9/25/17. Off calendar. The court determines that it needs more time to review the papers relating to the parties' motions

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

CONT...

Reggie Lyn Bishop

Chapter 7

and is issuing an order continuing the hearings and the pretrial conference for 2 weeks to 10/11/17 at 1:30 p.m. No appearances are required on 9/27/17.

Updated tentative ruling as of 8/28/17. Off calendar. At the hearing on plaintiffs' motion for summary judgment on 8/23/17, the court orally continued the pretrial conference to 9/27/17 at 1:30 p.m. to be conducted with the further hearing on the summary judgment motion. No appearances are required on 8/29/17.

Prior tentative ruling as of 6/26/17. The court has reviewed plaintiffs' unilateral pretrial stipulation and counsel declaration filed on 6/26/17. The court notes that neither party timely filed a joint pretrial stipulation by the deadline of 6/20/17 as previously ordered. Reserving a ruling on imposing sanctions for their noncompliance with the court's prior order, the court will order the parties to meet and confer to prepare a joint pretrial stipulation and will continue the pretrial conference to a date when they can first comply with the requirements of Local Bankruptcy Rule 7016-1 in submitting a joint pretrial stipulation. Appearances are required on 6/27/17.

Prior tentative ruling. This matter will be heard on the 3:30 p.m. calendar with the hearing on defendant's motion to dismiss. Appearances are required at 3:30 p.m. rather than 1:30 p.m. No tentative ruling on the merits.

Party Information

Debtor(s):

Reggie Lyn Bishop	Pro Se
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Defendant(s):

Reggie Bishop	Pro Se
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Plaintiff(s):

Brenda Moore Richards,	Represented By A. George Glasco
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Frederick F Richards III, as Trust	Represented By A. George Glasco
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Law Offices of A. George Glasco,	Represented By
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

CONT... Reggie Lyn Bishop

Chapter 7

A. George Glasco

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

2:16-18163 Anthony Curtis Wells
Adv#: 2:17-01519 Wells v. Diamond

Chapter 7

#15.00 Cont'd status conference re: Adversary complaint for injunctive relief and imposition of stay of the listing and marketing of real property for sale pending the decision of court of appeal, Second District, in Dumas v. Wells, 2nd Civil No. B270159 fr. 1/9/18

Docket 1

***** VACATED *** REASON: Plaintiff's voluntary dismissal filed on 1/2/18-mb.**

Tentative Ruling:

Off calendar. Plaintiff filed a notice of voluntary dismissal on 1/2/18. No appearances are necessary.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Richard K Diamond

Represented By
Aaron E de Leest

Plaintiff(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest
John Clark Brown Jr

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01556 Gonzalez v. Klimenko

#16.00 Status conference re: Complaint objecting to discharge

Docket 1

***** VACATED *** REASON: Cont'd from 1/30/18 to 3/20/18 at 1:30 p.m.
per stip & order entered on 12/20/17-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/20/18 at 1:30 p.m. No appearances are required on 1/30/18.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh
Michael Jay Berger

Defendant(s):

Wladimir John Klimenko

Pro Se

Plaintiff(s):

Rosendo Gonzalez

Represented By
D Edward Hays

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

2:16-26310 Jong Kyu Cha

Chapter 7

Adv#: 2:17-01201 Hanin Federal Credit Union v. Cha

#17.00 Cont'd status conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(2)(A) and (B), 11 U.S.C. 523(a)(4) and 11 U.S.C. §523(a)(6) fr. 5/23/17, 10/10/17, 10/24/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/29/18. The court has reviewed the joint status report stating that the parties are actively negotiating settlement. No tentative ruling on the merits. Appearances are required on 1/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits. Appearances are required on 10/24/17.

Prior tentative ruling as of 10/6/17. No tentative ruling on the merits. Appearances are required on 10/10/17.

Prior tentative ruling. The court has reviewed the joint status report and notes that the report does not state whether the parties had their LBR 7026-1 meeting of counsel. Appearances are required on 5/23/17.

Party Information

Debtor(s):

Jong Kyu Cha

Represented By
Jisoo Hwang

Defendant(s):

Jong Kyu Cha

Pro Se

Plaintiff(s):

Hanin Federal Credit Union

Represented By
Jiyoung Kym

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

CONT... Jong Kyu Cha

Jiyoung Kym

Chapter 7

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

2:17-11431 Martin Pinon

Chapter 7

Adv#: 2:17-01264 Avery v. Pinon

#18.00 Cont'd status conference re: Complaint for: (1) avoidance of transfer; (2) authorization to sell real property in which co-owner holds interest pursuant to 11 U.S.C. §363(h); (3) recovery of property; (4) declaratory relief; and (5) disallowance of claim fr. 7/11/17, 8/15/17

Docket 1

***** VACATED *** REASON: Continued to 3/6/18 at 1:30 p.m. per notice filed on 1/25/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/29/18. Off calendar. The court has approved the settlement between the parties by order entered in the main bankruptcy case. The court on its own motion continues the status conference to 3/6/18 at 1:30 p.m. to allow the parties to consummate the settlement and submit a dispositive stipulation and order to resolve this adversary proceeding. No appearances are required on 1/30/18, but counsel and defendant representing herself may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website). The court orders counsel for trustee to give notice of continuance of the status conference to defendant.

Prior tentative ruling as of 8/14/17. Set discovery completion date of 12/31/17 and set a further status conference for 1/30/18 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 9/15/17 and to complete mediation by 1/30/18. Appearances are required on 8/15/17, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Prior tentative ruling. The court has reviewed trustee's unilateral status report. No tentative ruling on the merits. Appearances are required on 7/11/17.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

1:30 PM

CONT... Martin Pinon

Chapter 7

Debtor(s):

Martin Pinon

Represented By
Raymond Perez

Defendant(s):

Crystal Jaimez Pinon

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David M Goodrich

Trustee(s):

Wesley H Avery (TR)

Represented By
David M Goodrich

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

2:00 PM

2:17-10996 Yong Tai Lee

Chapter 7

Adv#: 2:17-01258 Kim v. Lee

#19.00 Order to show cause why sanctions should not be imposed against defendant Young Tai Lee for failure to appear at the December 5, 2017 status conference hearing

Docket 14

Tentative Ruling:

Updated tentative ruling as of 1/30/18. Adversary proceeding is resolved by stipulation and order, and the court discharges the order to show cause. No appearances are required on 1/30/18.

Party Information

Debtor(s):

Yong Tai Lee

Represented By
D Justin Harelik

Defendant(s):

Yong Tai Lee

Represented By
Andrew Edward Smyth

Joint Debtor(s):

Joo Young Lee

Represented By
D Justin Harelik

Plaintiff(s):

Juhee Kim

Represented By
Frank N Lee

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

2:00 PM

2:17-10996 Yong Tai Lee

Chapter 7

Adv#: 2:17-01258 Kim v. Lee

#20.00 Cont'd status conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(6) fr. 7/11/17, 12/5/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/30/18. Adversary proceeding is resolved by stipulation and order, and the court discharges the order to show cause. No appearances are required on 1/30/18.

Prior tentative ruling as of 1/29/18. Defendant filed a notice of settlement on 1/5/18, and the parties have submitted a stipulation for judgment and a proposed order, which was rejected by the court because the proposed order did not reflect any terms of a judgment or other disposition of the adversary proceeding. Appearances are required on 1/30/18 to discuss the proposed disposition of the adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. Set pretrial conference for 1/30/18 at 2:00 p.m. and deadline for filing joint pretrial stipulation for 1/23/18 pursuant to LBR 7016-1. Appearances are required on 12/5/17, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 11/30/17 and set a post-discovery status conference for 12/5/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 8/31/17 and to complete mediation by 12/5/17. Appearances are required on 7/11/17, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

2:00 PM

CONT... Yong Tai Lee

Chapter 7

Debtor(s):

Yong Tai Lee

Represented By
D Justin Harelik

Defendant(s):

Yong Tai Lee

Pro Se

Joint Debtor(s):

Joo Young Lee

Represented By
D Justin Harelik

Plaintiff(s):

Juhee Kim

Represented By
Frank N Lee

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#21.00 Hearing re: Application to employ Baker & Hostetler LLP as general bankruptcy counsel during the provided service period

Docket 1164

***** VACATED *** REASON: Denied per order entered on 1/24/18-mb.**

Tentative Ruling:

Off calendar. The court determines that oral argument on the application is not necessary, dispenses with it, vacates the hearing on the application, takes the application under submission and is issuing a written order on the application. No appearances are required on 1/30/18.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

2:30 PM

2:16-23897 Bryan Andrew James

Chapter 7

#22.00 Hearing re: Application for order confirming abandonment of asset to debtor by operation of law

Docket 46

***** VACATED *** REASON: Per order entered on 1/24/18- st**

Tentative Ruling:

Off calendar. The court determines that oral argument on the motion is not necessary, dispenses with it, vacates the hearing on the motion, takes the motion under submission and is issuing a written order on the motion. No appearances are required on 1/30/18.

Party Information

Debtor(s):

Bryan Andrew James

Represented By
Morris S Getzels

Trustee(s):

Jason M Rund (TR)

Represented By
Brad Krasnoff

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

2:30 PM

2:17-13387 Gerardo Iniguez

Chapter 7

#23.00 Hearing re: Motion to convert case from chapter 7 to 13

Docket 47

***** VACATED *** REASON: Cont'd from 1/30/18 to 3/20/18 at 2:30 p.m.
per stip & order entered on 1/23/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/20/18 at 2:30 p.m. No appearances are required on 1/30/18.

Party Information

Debtor(s):

Gerardo Iniguez

Represented By
Grace White

Trustee(s):

Wesley H Avery (TR)

Represented By
Joseph Caceres

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

2:30 PM

2:17-23671 Mary Miranda

Chapter 7

#24.00 Order to show cause re dismissal for failure to comply with rule 1006(B) - installments

Docket 12

***** VACATED *** REASON: Order withdrawing order to show cause,
entered on 1/24/18-mb.**

Tentative Ruling:

Off calendar. The court has issued an order vacating the hearing on grounds that debtor has made the past due installment payments and withdrawing the order to show cause. No appearances are required on 1/30/18.

Party Information

Debtor(s):

Mary Miranda

Pro Se

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, January 30, 2018

Hearing Room 1675

3:00 PM

2:17-14293 Maria Edi Dominguez

Chapter 7

#25.00 Cont'd hearing re: Motion under 11 U.S.C. §110 for fines and/or disgorgement of fees against bankruptcy petition preparer Luz Escoto, LA Centro Latino, and Carlos Espano fr. 12/5/17

Docket 17

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18 to discuss scheduling of further proceedings.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 11/30/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 11/30/17, and the parties may not call their witnesses to testify on 11/30/17. The court estimates that the evidentiary hearing will take one day and will schedule it for either January or February 2018. If the United States Trustee believes that there are no genuine issues of material fact and he is entitled to judgment as a matter of law, he may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/5/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Maria Edi Dominguez Pro Se

Trustee(s):

David M Goodrich (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#1.00 Cont'd hearing re: Fourth and final application of SulmeyerKupetz, a professional corporation, general bankruptcy counsel for official committee of unsecured creditors, for allowance and payment of fees and expenses, Period: 11/14/2015 to 4/6/2016, Fee: \$1,222,090.50, Expenses: \$71,194.27.
fr. 2/15/17, 5/17/17, 8/16/17

Docket 2004

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 8/14/17. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

No tentative ruling as of 9/19/16. The court has not completed its review of the application and will continue the hearing. Appearances are required on 9/21/16 to discuss continuance, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#2.00 Cont'd hearing re: Motion of Robins Kaplan LLP for allowance of administrative expense claim pursuant to section 503(b)(4) of the bankruptcy code fr. 2/15/17, 5/17/17, 8/16/17

Docket 2112

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 8/14/17. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/16. Appearances are required on 11/30/16, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014. The parties should be prepared to discuss whether an evidentiary hearing is needed to resolve the disputed factual issues of whether fees for applicant's services on behalf of a creditor or equity holder were actual and necessary in making a substantial contribution to the Chapter 11 case under 11 U.S.C. 503 (b)(3) and (4), and if so, what their discovery and other pretrial needs are. In addition, or in the alternative, deny as time-barred since application was filed on August 24, 2016 after the bar date for filing administrative expense professional fee claims of May 6, 2016 pursuant to Section 3.2 of Confirmed Plan at page 23, ECF 1859, based on a plan effective date of April 6, 2016. See Notice of Effective Date, ECF 1907, filed on April 7, 2016. Appearances are required on 9/21/16 to discuss scheduling of further proceedings.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By

Thomas M Geher

Thomas M Geher

David W. Meadows

David W. Meadows

Jerome S Cohen

Jerome S Cohen

Carolyn A Dye

Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#3.00 Cont'd hearing re: Fourth and final application of Levene, Neale, Bender, Yoo & Brill L.L.P. for approval of fees and reimbursement of expenses for Kurt Ramlo, Debtor's Attorney, Period: 11/16/2015 to 5/6/2016, Fee: \$618,081.00, Expenses: \$44,014.52. fr. 2/15/17, 5/17/17, 8/16/17

Docket 2000

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 8/14/17. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/16. Appearances are required on 11/30/16, but counsel may appear by telephone.

No tentative ruling as of 9/19/16. The court has not completed its review of the application and will continue the hearing. Appearances are required on 9/21/16 to discuss continuance, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#4.00 Cont'd status conference re: Post confirmation of plan
fr. 2/15/17, 5/17/17, 8/16/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. The court has reviewed plan agent's status report. No tentative ruling on the merits. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the plan agent's postconfirmation status report. No tentative ruling on the merits. The court is interested in hearing from the plan agent and the parties regarding the status of plan implementation in light of the current administrative insolvency of the case, including the ability of reorganized debtor to fund continuing operations, possible resolution of plan defaults from inability and failure of the estate/reorganized debtor to pay allowed administrative expense claims now due, and the status of settlement discussions with the Wilshire property landlord and art consignor creditors. Appearances are required on 9/21/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

CONT...

Art and Architecture Books of the 21st Century

Jerome S Cohen

Carolyn A Dye

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:16-15233 Kristine Lynn Heicke

Chapter 11

#5.00 Status conference re: Post confirmation of chapter 11 plan
fr. TD, 5/3/17, 5/31/17, 9/27/17

Docket 51

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits.
Appearances are required on 1/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but
counsel may appear by telephone.

No tentative ruling as of 5/26/17. Appearances are required on 5/31/17.

Prior tentative ruling. Because the only votes on the plan were received after
the deadline set by the court's balloting deadline of 3/22/17 in the court's
order filed and entered on 2/15/17, none of the votes may be counted under
the order and FRBP 3017(c) and 3018(a). Because none of the votes cast
were timely in order to be counted under the court's deadline order, debtor
has not shown that there is at least one impaired class of claims accepting
the plan as required for confirmation under 11 U.S.C. 1129(a)(10), so the plan
may not be confirmed. Thus, the court is inclined to deny confirmation, but
the court would consider a request by debtor to seek relief by motion under
FRBP 9006(b)(1) to enlarge the time to cast votes as to the late cast votes
based on a sufficient showing of "excusable neglect". See *In re Paul*, 101
B.R. 228 (Bankr. S.D. Cal. 1989). Appearances are required on 5/3/17.

Party Information

Debtor(s):

Kristine Lynn Heicke

Represented By
Daniel King
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:16-18410 Vincent Morella

Chapter 11

#6.00 Cont'd hearing re: Motion to dismiss case under 11 U.S.C. §1112(b) as a bad faith filing; or alternatively, to transfer entire case to the United States Bankruptcy Court for The Middle District of Louisiana
fr. 5/31/17, 6/28/17, 9/27/17

Docket 57

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits. The motion appears to be resolved by the settlement between movant and debtor. Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 6/27/17. Appearances are required on 6/28/17, but counsel may appear by telephone.

Updated tentative ruling as of 2/28/17. No tentative ruling on the merits. The court notes debtor's supplemental status report stating that debtor and the bank are engaged in further settlement discussions and will request a continuance of hearings to 4/28/17 at least. Appearances are required on 3/1/17, but counsel may appear by telephone.

Updated tentative ruling as of 12/12/16. No updated tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/16. Treat as a contested matter under FRBP 9014 and set a pretrial schedule and an evidentiary hearing to be coordinated with the evidentiary hearing on United States Trustee's motion to dismiss or convert. Appearances are required on 11/30/16, but counsel may appear by telephone.

Prior tentative ruling. Service of the moving papers is deficient since not all

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

CONT... Vincent Morella

Chapter 11

creditors have been served pursuant to FRBP 2002(a)(4) and 9013 as indicated by the proof of service and the creditors mailing matrix and the moving papers will have to be reserved and renoticed for hearing. Treat as contested matter under FRBP 9014 because it appears to the court that there are disputed factual issues that may require an evidentiary hearing. The parties should be prepared to discuss their discovery and other pretrial needs. Appearances are required on 10/11/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Vincent Morella

Represented By
Paul M Brent

Movant(s):

Business First Bank

Represented By
Gary D Fidler

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:16-18410 Vincent Morella

Chapter 11

#7.00 Hearing re: Motion to: 1) dismiss chapter 11 case; and 2) retain jurisdiction to the extent necessary

Docket 200

Tentative Ruling:

Grant debtor's motion to dismiss case for the reasons stated in the moving papers as supplemented and for lack of timely written opposition.
Appearances are required on 1/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Vincent Morella

Represented By
Paul M Brent

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:16-18410 Vincent Morella

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/28/17 9/27/17, 11/29/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits.
Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on
9/27/17, but counsel may appear by telephone.

Revised and updated tentative ruling as of 6/27/17. The court has reviewed
debtor's status report filed on 6/26/17, stating that the parties (debtor and
Business First Bank) are in the final stages of negotiation and that debtor
believes that a final agreement will be executed shortly. No tentative ruling
on the merits. Appearances are required on 6/28/17, but counsel may appear
by telephone.

Updated tentative ruling as of 2/28/17. No tentative ruling on the merits.
Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/13/16. The court has reviewed debtor's "short"
status report. Appearances are required on 12/14/16 to discuss scheduling of
further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 11/28/16. No tentative ruling on the merits.
Appearances are required on 11/30/16, but counsel may appear by
telephone.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits.
Appearances are required on 10/19/16, but counsel may appear by
telephone.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

CONT... Vincent Morella

Chapter 11

Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/26/16. No tentative ruling on the merits.
Appearances are required on 9/28/16, but counsel may appear by telephone.

Prior tentative ruling as of 8/15/16. Appearances are required on 8/17/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Vincent Morella

Represented By
Paul M Brent

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:17-15007 Eugen Valentin Dietl

Chapter 11

#9.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/30/17, 11/15/17, 12/20/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits.
Appearances are required on 1/31/18.

Prior tentative ruling as of 12/18/17. No tentative ruling on the merits.
Appearances are required on 12/20/17.

Prior tentative ruling as of 11/13/17. Off calendar. In light of the pending motions to dismiss or convert, the court on its own motion continues the status conference to 12/20/17 at 11:00 a.m. to be conducted with the further hearings on the motions to dismiss or convert. No appearances are required on 11/15/17.

Prior tentative ruling as of 8/28/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Eugen Valentin Dietl

Represented By
Matthew D Resnik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#10.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/9/17, 10/25/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/9/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/9/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Peter G. Kudrave

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:17-24478 Julie Gamido

Chapter 11

#11.00 Hearing re: Motion in individual chapter 11 case for order authorizing use of cash collateral

Docket 32

Tentative Ruling:

Treat as a contested matter under FRBP 9014 because there are factual issues regarding valuation of the subject property and whether the rents are cash collateral or not. Debtor argues that they are not cash collateral citing the trust deed instrument, but the court is unable to determine the merits of this argument since she does not provide the court with a copy. Appearances are required on 1/31/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Julie Gamido

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:17-24478 Julie Gamido

Chapter 11

#12.00 Hearing re: Motion for order determining value of collateral
(real property located at 8268 Yarrow Lane, Riverside, CA 92508)

Docket 28

***** VACATED *** REASON: Cont'd from 1/31/18 to 2/21/18 at 11:00 a.m.
per stip & order entered on 1/17/18-st**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/21/18 at 11:00 a.m. No
appearances are required on 1/31/18.

Party Information

Debtor(s):

Julie Gamido

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#12.10 Cont'd hearing re: Motion to use cash collateral stipulation with Prime Business Credit, Inc.
fr. 12/13/17, 1/10/18, 1/24/18

Docket 40

Tentative Ruling:

Updated tentative ruling as of 1/29/18. Off calendar. Based on counsel's supplemental declaration, the court has reviewed the proposed orders on the this cash collateral use stipulation and the related stipulation, which are consented to by Pacific City Bank, and has approved them. The further hearings on 1/31/18 are not necessary, and appearances are not required.

Prior tentative ruling as of 1/23/18. No tentative ruling. Debtor lodged proposed orders on the cash collateral stipulations with Prime Business Credit, Inc., and Pacific City Bank, providing for subordination of Pacific City Bank's superpriority claim to Prime's, but there is no indication of consent to the proposed order by Pacific City Bank since there is no sign off on the lodged orders by, or proof of service of the lodged orders on, Pacific City Bank, so the court cannot confirm that the lodged orders are consented to by Pacific City Bank. Appearances are required on 1/24/18, but counsel may appear by telephone.

No updated tentative ruling as of 1/22/18. Appearances are required on 1/24/18 to discuss status of discussions between debtor and secured lenders regarding language of proposed orders regarding priority of superpriority claims, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. The court is inclined to approve the cash collateral stipulation for the reasons stated in the moving papers and for lack of timely written objection. Movant needs to clarify that which secured creditor, Prime Business Credit, Inc., or Pacific City Bank, has greater priority on its superpriority claim since the cash collateral stipulations are conflicting since each gives the one creditor a superpriority over all other claims, including the other creditor's superpriority claim. Appearances are required

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

CONT... JC Fits, Inc.

Chapter 11

on 1/10/18, but counsel may appear by telephone.

Prior tentative ruling. Service of motion to approve cash collateral stipulation is deficient because movant did not serve the 20 largest unsecured creditors pursuant to FRBP 4001(d)(1)(C) and 1007(d). Continue hearing for movant to give notice to these creditors as well. Appearances are required on 12/13/17, but counsel may appear by telephone.

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

Movant(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#12.20 Cont'd hearing re: Motion to use cash collateral stipulation with Pacific City Bank
fr. 12/13/17, 1/10/18, 1/24/18

Docket 37

Tentative Ruling:

Updated tentative ruling as of 1/29/18. Off calendar. Based on counsel's supplemental declaration, the court has reviewed the proposed orders on the this cash collateral use stipulation and the related stipulation, which are consented to by Pacific City Bank, and has approved them. The further hearings on 1/31/18 are not necessary, and appearances are not required.

Prior tentative ruling as of 1/23/18. No tentative ruling. Debtor lodged proposed orders on the cash collateral stipulations with Prime Business Credit, Inc., and Pacific City Bank, providing for subordination of Pacific City Bank's superpriority claim to Prime's, but there is no indication of consent to the proposed order by Pacific City Bank since there is no sign off on the lodged orders by, or proof of service of the lodged orders on, Pacific City Bank, so the court cannot confirm that the lodged orders are consented to by Pacific City Bank. Appearances are required on 1/24/18, but counsel may appear by telephone.

No updated tentative ruling as of 1/22/18. Appearances are required on 1/24/18 to discuss status of discussions between debtor and secured lenders regarding language of proposed orders regarding priority of superpriority claims, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. The court is inclined to approve the cash collateral stipulation for the reasons stated in the moving papers and for lack of timely written objection. Movant needs to clarify that which secured creditor, Prime Business Credit, Inc., or Pacific City Bank, has greater priority on its superpriority claim since the cash collateral stipulations are conflicting since each gives the one creditor a superpriority over all other claims, including the other creditor's superpriority claim. Appearances are required on 1/10/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:00 AM

CONT... JC Fits, Inc.

Chapter 11

Prior tentative ruling. Service of motion to approve cash collateral stipulation is deficient because movant did not serve the 20 largest unsecured creditors pursuant to FRBP 4001(d)(1)(C) and 1007(d). Continue hearing for movant to give notice to these creditors as well. Appearances are required on 12/13/17, but counsel may appear by telephone.

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:30 AM

2:17-17336 Kathleen Cappel

Chapter 7

#13.00 Cont'd hearing re: Motion under 11 U.S.C. §110 for disgorgement of fees against bankruptcy petition preparer Charles Taylor and Legal Resource Solutions fr. 10/24/17, 12/5/17

Docket 19

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits. Based on the response and reply papers, the court will set an evidentiary hearing on the motion. Appearances are required on 1/31/18 to discuss scheduling.

Prior tentative ruling as of 12/4/17. See tentative ruling for matter number 6. Appearances are required on 12/5/17.

Prior tentative ruling. Given the magnitude of the fines requested in the motion, the court will order United States Trustee to serve on respondent by personal delivery a copy of the moving papers with a new notice of hearing. The court will set the matter for an evidentiary hearing, and the United States Trustee will be ordered to subpoena the debtor as the complaining witness to testify. The court can issue a scheduling order to assist the United States Trustee. Appearances are required on 10/24/17.

Party Information

Debtor(s):

Kathleen Cappel Pro Se

Trustee(s):

Richard K Diamond (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

11:30 AM

2:17-17336 Kathleen Cappel

Chapter 7

#14.00 Cont'd hearing re: Charles Taylor to personally appear and explain why the Court should not impose fines under 11 U.S.C §110; order disgorgement of fees; and award liquidated damages under 11 U.S.C. §110(i) consistent with the United States Trustee's motion under section 110
fr. 12/5/17

Docket 25

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits. Based on the response and reply papers, the court will set an evidentiary hearing on the motion. Appearances are required on 1/31/18 to discuss scheduling.

Prior tentative ruling. Given the reasonably diligent efforts of the United States Trustee to serve respondent by personal delivery of the moving papers and a copy of the court's order directing his appearance at his dwelling house or usual place of abode and the place where he regularly conducts a business or profession and the court's order directing respondent's appearance, the court will authorize the United States Trustee to serve respondent by mailing copies of the moving papers and the court's order directing his appearance to be amended with a new date and time by first class mail, postage prepaid, to respondent's dwelling house or usual place of abode and the place where he regularly conducts a business or profession pursuant to FRBP 7004(b)(1) and 9014. Appearances are required on 12/5/17.

Party Information

Debtor(s):

Kathleen Cappel Pro Se

Trustee(s):

Richard K Diamond (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

2:00 PM

2:16-17064 Maria Virginia Marti
Adv#: 2:16-01270 Romero v. Marti

Chapter 7

#15.00 Order to show cause why sanctions should not be imposed against plaintiff and his attorney Dimitrios Biller for failure to appear at pretrial conference and to file joint pretrial stipulation

Docket 162

***** VACATED *** REASON: Cont'd from 1/31/18 to 2/6/18 at 2:00 p.m.
per order entered on 1/26/18-mb.**

Tentative Ruling:

Off calendar. The court has issued an order continuing the hearing on its own motion to 2/6/18 at 2:00 p.m. No appearances are required on 1/31/18.

Party Information

Debtor(s):

Maria Virginia Marti

Represented By
Anita Khachikyan

Defendant(s):

Maria Virginia Marti

Represented By
Derek L Tabone

Plaintiff(s):

Mario Romero

Represented By
Dimitrios P Biller
Derek L Tabone

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

2:00 PM

2:16-17064 Maria Virginia Marti

Chapter 7

Adv#: 2:16-01270 Romero v. Marti

#16.00 Pretrial conference re: Plaintiff Mario Romero's complaint for adversary proceedings and nondischargeability of defendants' debt pursuant to: (1) 11 U.S.C. §§ 727(a)(2), 727(a)(3); 727(a)(4) and 727(a)(7); (2) 11 U.S.C. §523; 523(a)(4); 523(6); and 11 U.S.C. §523(a)(19); (3) Nondischargeability fr. 8/15/17, 9/26/17, 11/14/17

Docket 1

***** VACATED *** REASON: Cont'd from 1/31/18 to 2/6/18 at 2:00 p.m.
per order entered on 1/26/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 1/29/18. Off calendar. The court has issued an order continuing the hearing on its own motion to 2/6/18 at 2:00 p.m. No appearances are required on 1/31/18.

Prior tentative ruling as of 11/13/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 11/14/17.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/15/17.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/24/17 to discuss scheduling, particularly sequencing of discovery, but counsel may appear by telephone.

Prior tentative ruling as of 10/24/16. Appearances are required on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/26/16. Off calendar. By separate order, the court continues the hearing on its own motion to 10/25/16 at 3:00 p.m. No appearances are required on 9/27/16.

Prior tentative ruling. Continued on the court's own motion by separate order to 9/20/16 at 3:00 p.m. No appearances are required on 8/16/16.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, January 31, 2018

Hearing Room 1675

2:00 PM

CONT... Maria Virginia Marti

Chapter 7

Party Information

Debtor(s):

Maria Virginia Marti

Represented By
Anita Khachikyan

Defendant(s):

Maria Virginia Marti

Pro Se

Plaintiff(s):

Mario Romero

Represented By
Dimitrios P Biller

Trustee(s):

Jason M Rund (TR)

Pro Se

Jason M Rund (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, February 01, 2018

Hearing Room 1675

9:00 AM

2:16-16503 Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01388 Phelps v. Bishop

#1.00 Hearing re: Motion to strike pleadings

Docket 117

Tentative Ruling:

No tentative ruling as of 1/24/18. Appearances are required on 2/1/18.

Party Information

Debtor(s):

Reggie Lyn Bishop Pro Se

Defendant(s):

Reggie Lyn Bishop Sr Pro Se

Plaintiff(s):

Willie Mae Phelps Represented By
Frances M Campbell

Trustee(s):

Timothy Yoo (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, February 01, 2018

Hearing Room 1675

9:00 AM

2:16-16503 Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01388 Phelps v. Bishop

**#2.00 TRIAL RE: Complaint for non-dischargeability of debt
fr. 8/22/17, 8/29/17, 11/30/17**

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/24/18. No tentative ruling will be issued for trial. Appearances are required on 2/1/18.

Prior tentative ruling as of 7/10/17. The court has reviewed the separate pretrial stipulations that the parties submitted, and it appears that pursuant to Local Bankruptcy Rule 7016-1(f) the court should impose sanctions of \$250 against counsel and self-represented party each for their failure to jointly submit a pretrial stipulation without excuse as both are culpable in their noncompliance with the rule. Appearances are required on 7/11/17.

Prior tentative ruling. This matter will be heard on the 3:30 p.m. calendar with the hearing on defendant's motion to dismiss. Appearances are required at 3:30 p.m. rather than 1:30 p.m. No tentative ruling on the merits.

Party Information

Debtor(s):

Reggie Lyn Bishop Pro Se

Defendant(s):

Reggie Lyn Bishop Sr Pro Se

Plaintiff(s):

Willie Mae Phelps Represented By
Frances M Campbell

Trustee(s):

Timothy Yoo (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, February 02, 2018

Hearing Room 1675

9:00 AM

2:16-16503 Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01388 Phelps v. Bishop

#1.00 CONT'D TRIAL RE: Complaint for non-dischargeability of debt
fr. 8/29/17, 11/30/17, 2/1/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/24/18. No tentative ruling will be issued for trial. Appearances are required on 2/2/18 if trial is not completed on 2/1/18.

Prior tentative ruling as of 7/10/17. The court has reviewed the separate pretrial stipulations that the parties submitted, and it appears that pursuant to Local Bankruptcy Rule 7016-1(f) the court should impose sanctions of \$250 against counsel and self-represented party each for their failure to jointly submit a pretrial stipulation without excuse as both are culpable in their noncompliance with the rule. Appearances are required on 7/11/17.

Prior tentative ruling. This matter will be heard on the 3:30 p.m. calendar with the hearing on defendant's motion to dismiss. Appearances are required at 3:30 p.m. rather than 1:30 p.m. No tentative ruling on the merits.

Party Information

Debtor(s):

Reggie Lyn Bishop	Pro Se
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Defendant(s):

Reggie Lyn Bishop Sr	Pro Se
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Plaintiff(s):

Willie Mae Phelps	Represented By Frances M Campbell
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Trustee(s):

Timothy Yoo (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

10:30 AM

2:16-26024 Carmen Guerrero

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Caterpillar Financial Services Corp. VS Debtor)

Docket 22

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for cause since the Chapter 7 trustee has filed a no distribution report, no timely written opposition has been filed and there is no longer a bankruptcy purpose for keeping the stay in place as to this collateral. Deny stay relief under 11 U.S.C. 362(d)(2) since movant has not offered admissible evidence of valuation of the collateral to meet its burden of proof under 11 U.S.C. 362(g)(1) to demonstrate the lack of equity in debtor's interest in the collateral. Deny requests for extraordinary relief in paragraphs 3, 10 and 12 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Carmen Guerrero

Represented By
Guy R Bayley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

10:30 AM

CONT... Carmen Guerrero

Chapter 7

Movant(s):

Caterpillar Financial Services

Represented By
Mark D Poniatowski

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

10:30 AM

2:17-25211 Brenda Kay Bailey

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Nationstar Mortgage LLC dba Mr. Cooper VS Debtor)

Docket 10

Tentative Ruling:

Service on debtor pursuant to LBR 4001-1(c)(1)(C)(i) as indicated on the proof of service of the motion is deficient since the address listed for her is "34 Magnolia #12, Long Beach, CA 90802" and not "345 Magnolia #12, Long Beach, CA 90802" which is her address of record as reflected on the case docket. Movant should re-serve debtor, and the hearing should be continued for proper service. Appearances are required on 2/6/18.

Party Information

Debtor(s):

Brenda Kay Bailey

Represented By
Daniel King

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

11:00 AM

2:17-24478 Julie Gamido

Chapter 11

#3.00 Cont'd hearing re: Motion in individual case for order imposing a stay or continuing the automatic stay as the court deems appropriate
fr. 12/19/17

Docket 9

Tentative Ruling:

Updated tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/6/18, but counsel may appear by telephone.

No tentative ruling will be issued on the motion heard on shortened notice.
Appearances are required on 12/17/17, but counsel may appear by
telephone.

Party Information

Debtor(s):

Julie Gamido

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

1:30 PM

2:12-47099 Adrian J Hernandez

Chapter 7

#4.00 Cont'd status conference re: Debtor's motion for sanctions for alleged violation of discharge injunction
fr. 10/24/17

Docket 40

***** VACATED *** REASON: Denied with prejudice per order entered on 12/5/17-mb.**

Tentative Ruling:

Off calendar. Matter resolved by order entered on 12/5/17. No appearances are necessary.

Party Information

Debtor(s):

Adrian J Hernandez

Represented By
Eric Bensamochan

Movant(s):

Adrian J Hernandez

Represented By
Eric Bensamochan
Eric Bensamochan

Adrian J Hernandez

Pro Se

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01113 Diamond, Chapter 7 Trustee, Plaintiff v. Premier Rehabilitation Services, a

#5.00 Cont'd status conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 5/23/17, 8/29/17, 11/7/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/5/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 2/6/18 to discuss scheduling of further proceedings, including timing of amendment of pleadings, the proposed extended discovery cutoff date and the setting of a pretrial conference, but counsel may appear by telephone. Defendants have demanded a jury trial, but the court will defer referral of the jury triable claims to the district court for jury trial until the pretrial conference which this court will conduct (unless defendant successfully moves the district court to withdraw the reference). Plaintiff's potential postpetition transfer claims are core claims within this court's jurisdiction and do not appear to be jury triable.

Prior tentative ruling as of 11/6/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 11/7/17 to discuss scheduling of further proceedings, including mediation completion, extended discovery cutoff date and trial, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. The court has reviewed the joint status report. No tentative ruling on the merits, but grant joint request to extend the discovery cutoff date to 9/30/17. Appearances are required on 8/29/17 to discuss scheduling of a pretrial conference and the second mediation, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation Chapter 7

5/23/17 to discuss scheduling of further proceedings, including extension of discovery cutoff date to 6/30/17 and setting a date for a pretrial conference, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 3/21/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 9/30/16 and to complete mediation by 1/17/17. Appearances are required on 5/3/16, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Premier Rehabilitation Services, a

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:00 PM

2:16-17064 Maria Virginia Marti
Adv#: 2:16-01270 Romero v. Marti

Chapter 7

#5.10 Cont'd order to show cause why sanctions should not be imposed against plaintiff and his attorney Dimitrios Biller for failure to appear at pretrial conference and to file joint pretrial stipulation
fr. 1/31/18

Docket 162

Tentative Ruling:

Updated tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/6/18.

No tentative ruling as of 1/29/18. Appearances are required on 1/31/18.

Party Information

Debtor(s):

Maria Virginia Marti

Represented By
Anita Khachikyan

Defendant(s):

Maria Virginia Marti

Represented By
Derek L Tabone

Plaintiff(s):

Mario Romero

Represented By
Dimitrios P Biller
Derek L Tabone

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:00 PM

2:16-17064 Maria Virginia Marti

Chapter 7

Adv#: 2:16-01270 Romero v. Marti

- #5.20** Pretrial conference re: Plaintiff Mario Romero's complaint for adversary proceedings and nondischargeability of defendants' debt pursuant to: (1) 11 U.S.C. §§ 727(a)(2), 727(a)(3); 727(a)(4) and 727(a)(7); (2) 11 U.S.C. §523; 523(a)(4); 523(6); and 11 U.S.C. §523(a)(19); (3) Nondischargeability fr. 9/26/17, 11/14/17, 1/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/5/18. Plaintiff lodged "[Proposed] Stipulated Pretrial Conference Order," which the court has rejected as deficient under LBR 7016-1 because of lack of signature of defendant's counsel, numerous typographical errors and failure to address all claims of second amended complaint. The document to be submitted first is a "Joint Pretrial Stipulation", and later an order approving that document if it is in proper form. Both parties have independent duties to participate in the preparation and filing of the pretrial conference documents under LBR 7016-1. Plaintiff filed "joint" witness list twice, but no "joint" exhibit list, but these documents have no indication that they are "joint" since no signature of defendant's counsel is provided. These documents do not excuse either party since there is no indication from defendant that defendant has met the requirements of submitting joint pretrial documents with plaintiff under LBR 7016-1. The parties should be prepared to discuss how the court should proceed with all non-dismissed claims alleged in plaintiff's second amended complaint. The court has orally indicated that the claims under 11 U.S.C. 727 should be tried first and that the claims under 11 U.S.C. 523 should be deferred until the state court appellate litigation has been completed on related claims (or the court should permissively abstain in favor of the state courts on the related claims). The parties should report on the status of the state court appellate litigation. The court is considering imposing sanctions of \$250 against each counsel for their continued failures to submit documents that fully comply with the pretrial conference requirements of LBR 7016-1. Appearances are required on 2/6/18.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:00 PM

CONT...

Maria Virginia Marti

Chapter 7

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18.

Prior tentative ruling as of 11/13/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 11/14/17.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/15/17.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/24/17 to discuss scheduling, particularly sequencing of discovery, but counsel may appear by telephone.

Prior tentative ruling as of 10/24/16. Appearances are required on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/26/16. Off calendar. By separate order, the court continues the hearing on its own motion to 10/25/16 at 3:00 p.m. No appearances are required on 9/27/16.

Prior tentative ruling. Continued on the court's own motion by separate order to 9/20/16 at 3:00 p.m. No appearances are required on 8/16/16.

Party Information

Debtor(s):

Maria Virginia Marti

Represented By
Anita Khachikyan

Defendant(s):

Maria Virginia Marti

Pro Se

Plaintiff(s):

Mario Romero

Represented By
Dimitrios P Biller

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:00 PM

CONT... Maria Virginia Marti

Chapter 7

Trustee(s):

Jason M Rund (TR) Pro Se

Jason M Rund (TR) Pro Se

U.S. Trustee(s):

United States Trustee (LA) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:30 PM

2:11-50564 Boutros Mouhawas

Chapter 7

#6.00 Hearing re: Motion of debtor to vacate order closing case and to reopen

Docket 23

***** VACATED *** REASON: Case reopened per order entered on 2/2/18-
mb.**

Tentative Ruling:

Off calendar. The court has ruled on the motion on the papers without hearing and takes the hearing off calendar. No appearances are required on 2/6/18.

Party Information

Debtor(s):

Boutros Mouhawas

Represented By
Khachik Akhkashian

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:30 PM

2:16-10351 Donald Martinez

Chapter 7

#7.00 Cont'd hearing re: Motion for order authorizing loan modification agreement
fr. 8/22/17, 12/12/17

Docket 54

***** VACATED *** REASON: Cont'd from 2/6/18 to 3/20/18 at 2:30 p.m.
per order entered on 2/1/18-st**

Tentative Ruling:

Updated tentative ruling as of 2/5/18. Off calendar. Continued by stipulated motion and order to 3/20/18 at 2:30 p.m. No appearances are required on 2/6/18.

Prior tentative ruling as of 12/11/17. Off calendar. Continued by stipulation and order to 2/6/18 at 2:30 p.m. No appearances are required on 12/12/17.

No tentative ruling as of 8/21/17. Appearances are required on 8/22/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Donald Martinez

Represented By
Edgar P Lombera

Trustee(s):

John J Menchaca (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:30 PM

2:16-10351 Donald Martinez

Chapter 7

#8.00 Cont'd hearing re: Motion to compel abandonment
fr. 8/29/17, 10/3/17, 1/9/18

Docket 47

***** VACATED *** REASON: Cont'd from 2/6/18 to 3/20/18 at 2:30 p.m.
per order entered on 2/1/18-st**

Tentative Ruling:

Updated tentative ruling as of 2/5/18. Off calendar. Continued by stipulated motion and order to 3/20/18 at 2:30 p.m. No appearances are required on 2/6/18.

Prior tentative ruling as of 1/8/18. Off calendar. Continued by stipulation and order to 2/6/18 at 2:30 p.m. No appearances are required on 1/9/18.

Prior tentative ruling as of 10/2/17. Appearances are required on 10/3/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

No tentative ruling as of 8/28/17. Appearances are required on 8/29/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Donald Martinez

Represented By
Edgar P Lombera

Trustee(s):

John J Menchaca (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:30 PM

2:16-10351 Donald Martinez

Chapter 7

#9.00 Cont'd hearing re: Application by chapter 7 trustee to employ Neiman Realty as Real Estate Broker
fr. 8/29/17, 10/3/17, 1/9/18

Docket 45

***** VACATED *** REASON: Cont'd from 2/6/18 to 3/20/18 at 2:30 p.m.
per order entered on 2/1/18-st**

Tentative Ruling:

Updated tentative ruling as of 2/5/18. Off calendar. Continued by stipulated motion and order to 3/20/18 at 2:30 p.m. No appearances are required on 2/6/18.

Prior tentative ruling as of 1/8/18. Off calendar. Continued by stipulation and order to 2/6/18 at 2:30 p.m. No appearances are required on 1/9/18.

No updated tentative ruling as of 10/2/17. Appearances are required on 10/3/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

No tentative ruling as of 8/28/17. Appearances are required on 8/29/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Donald Martinez

Represented By
Edgar P Lombera

Trustee(s):

John J Menchaca (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:30 PM

2:16-18154 Cesar Abel Sazo

Chapter 7

#10.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Timothy J. Yoo, Chapter 7 Trustee]

Docket 46

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 2/6/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Cesar Abel Sazo

Pro Se

Trustee(s):

Timothy Yoo (TR)

Represented By
Todd M Arnold
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:30 PM

2:16-18154 Cesar Abel Sazo

Chapter 7

#11.00 Hearing re: Application for fees and expenses
[Levene, Neale, Bender Yoo & Brill, Attorney for Chapter 7 Trustee]

Docket 44

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 2/6/17, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Cesar Abel Sazo

Pro Se

Movant(s):

Levene, Neale, Bender, Yoo & Brill

Represented By
Todd M Arnold

Trustee(s):

Timothy Yoo (TR)

Represented By
Todd M Arnold
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:30 PM

2:16-24568 Oscar Olivares

Chapter 7

#12.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[David M. Goodrich, Chapter 7 Trustee]

Docket 18

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 2/6/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Oscar Olivares

Represented By
Omar Zambrano

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:30 PM

2:17-17642 Amber Andersen

Chapter 7

Adv#: 2:17-01523 Andersen v. Navient Solutions LLC

#13.00 Hearing re: Defendant Navient Solutions, LLC's motion to stay pursuant to F.R.B.P. 7007 and 11 U.S.C § 105

Docket 14

***** VACATED *** REASON: Cont'd from 2/6/18 to 3/20/18 at 2:30 p.m.
by stip & order entered on 2/1/18- st**

Tentative Ruling:

Off calendar. Continued on the court's own motion to 3/20/18 at 2:30 p.m.
No appearances are required on 2/6/18.

Party Information

Debtor(s):

Amber Andersen

Represented By
John D Faucher

Defendant(s):

Navient Solutions LLC

Represented By
Robert S Lampl

Plaintiff(s):

Amber Andersen

Represented By
John D Faucher

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:30 PM

2:17-17642 Amber Andersen

Chapter 7

Adv#: 2:17-01523 Andersen v. Navient Solutions LLC

#13.10 Cont'd status conference re: Complaint to determine dischargeability of student loans fr. DS, 1/23/18

Docket 1

***** VACATED *** REASON: Cont'd from 2/6/18 to 3/20/18 at 2:30 p.m.
by stip & order entered on 2/1/18-st**

Tentative Ruling:

Updated tentative ruling as of 2/5/18. Off calendar. Continued on the court's own motion to 3/20/18 at 2:30 p.m. No appearances are required on 2/6/18.

Prior tentative ruling. Continued ;by stipulation and order to 2/6/18 at 2:30 p.m. No appearances are required on 1/23/18.

Party Information

Debtor(s):

Amber Andersen

Represented By
John D Faucher

Defendant(s):

Navient Solutions LLC

Represented By
Robert S Lampl

Plaintiff(s):

Amber Andersen

Represented By
John D Faucher

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:30 PM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

#14.00 Hearing re: Chapter 7 trustee's motion to approve compromise of controversy an authorize payment of auctioneer

Docket 23

Tentative Ruling:

No tentative ruling as of 2/5/18. Appearances are required on 2/6/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

2:30 PM

2:18-10930 Matthew Aaron Canales

Chapter 7

#14.10 Hearing re: Application to have the chapter 7 filing fee waived

Docket 7

***** VACATED *** REASON: Fee waiver granted per order entered on
1/30/18-pj.**

Tentative Ruling:

Off calendar. Application granted by prior order. No appearances are necessary.

Party Information

Debtor(s):

Matthew Aaron Canales Pro Se

Movant(s):

Matthew Aaron Canales Pro Se

Trustee(s):

David M Goodrich (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

3:00 PM

2:17-19081 Jarrod Cornelius Porter

Chapter 7

Adv#: 2:17-01571 Porter v. Navient U.S. Department of Education Loan Servicing

#15.00 Hearing re: Navient Solutions, LLC's motion to dismiss Navient U.S. Department of Education Loan Servicing as a defendant in this adversary proceeding or in the alternative for summary judgment dismissing Navient U.S. Department of Education Loan Servicing as a defendant

Docket 6

Tentative Ruling:

Grant motion of Navient Solutions, LLC to dismiss it as a defendant for the reasons stated in the moving papers. Appearances are required on 2/6/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Jarrod Cornelius Porter	Pro Se
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Defendant(s):

Navient U.S. Department of	Pro Se
Nelnet	Pro Se
Educational Credit Management	Represented By Scott A Schiff

Plaintiff(s):

Jarrod Cornelius Porter	Pro Se
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Trustee(s):

Howard M Ehrenberg (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 06, 2018

Hearing Room 1675

3:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#16.00 Hearing re: Motion of defendant JPMorgan Chase Bank, N.A. to dismiss adversary complaint

Docket 8

Tentative Ruling:

Off calendar. The motion to dismiss the original complaint is moot because plaintiff has filed and served a first amended complaint which supersedes the original complaint, which it may file as a matter of course pursuant to FRBP 7015 and FRCP 15(a)(1)(B). No appearances are required on 2/6/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Represented By
Matthew S Henderson

QUALITY LOAN SERVICE

Represented By
Merdaud Jafarnia

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

2:15-27143 Don P. Chairez and Maria J. Chairez

Chapter 11

- #1.00** Cont'd hearing re: Motion of the debtors for entry of an order: (I) approving the proposed disclosure statement; (II) setting deadlines for voting to accept or reject the debtors' chapter 11 plan; (III) setting deadline for filing objections to the chapter 11 plan; (IV) setting a record date for voting purposes; and (V) setting the confirmation hearing on the plan
fr. 10/18/17, 11/29/17

Docket 184

Tentative Ruling:

Revised tentative ruling as of 2/5/18. The court notes that debtors filed an amended disclosure statement on 1/31/18, but there is no amended plan with the disclosure statement. Debtors should clarify if they are amending the plan. If they are proceeding with this amended disclosure statement, the plan should be attached to it when served on all required parties, and notice of hearing should be given in accordance with LBR 3017-1 (42 days notice), regardless of LBR 3017-2. Preliminarily, the court notes that not all of the concerns raised in the court's prior tentative rulings and repeated comments during prior hearings have been addressed regarding financial data of the husband's law practice for the past three years and the justification of the payment for the expenses of dependents, which are not provided in the amended disclosure statement. The court is considering dismissal of the case for failure to file a disclosure statement within the time fixed under the Bankruptcy Code or by order of the court pursuant to 11 U.S.C. 1112(b)(4)(J). Cause exists for dismissal or conversion under 11 U.S.C. 1112(b)(4)(J) because in this small business Chapter 11 case, debtors have failed to timely confirm their plan within 45 days of the filing of their plan on 11/23/16, that is, the deadline was 3/8/17, as required by 11 U.S.C. 1129(e) and 1121(e). In re Roots Rents, Inc., 420 B.R. 28 (Bankr. D. Idaho 2009). Appearances are required on 2/7/18, but counsel may appear by telephone.

Updated tentative ruling as of 2/5/18. The court notes that debtors filed an amended disclosure statement on 1/31/18, but there is no amended plan with the disclosure statement. Debtors should clarify if they are amending the plan. If they are proceeding with this amended disclosure statement, the plan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

CONT... **Don P. Chairez and Maria J. Chairez**

Chapter 11

should be attached to it when served on all required parties, and notice of hearing should be given in accordance with LBR 3017-1 (42 days notice), regardless of LBR 3017-2. Preliminarily, the court notes that not all of the concerns raised in the court's prior tentative rulings and repeated comments during prior hearings have been addressed regarding financial data of the husband's law practice for the past three years and the justification of the payment for the expenses of dependents, which are not provided in the amended disclosure statement. If these concerns are not remedied, the court is considering dismissal of the case for failure to file a disclosure statement within the time fixed under the Bankruptcy Code or by order of the court pursuant to 11 U.S.C. 1112(b)(4)(J). Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. Debtors will need to address how they will resolve the concerns in the prior tentative ruling. Appearances are required on 11/29/17, but counsel may appear by telephone.

Deny approval of disclosure statement with leave to amend. The disclosure statement does not contain adequate information as follows: (1) the discussion in the disclosure statement saying that transfers of the properties were not fraudulent transfers will need to be amended to reflect the settlements; (2) there is no detailed statement of debtor's husband's business income which should be attached to the income and expense budget statement - the court requires three years of actual financial data of his law practice business, 2014-2017, saying he has \$2500 gross and \$500 expenses for \$2000 net income is inadequate; (3) there is inadequate disclosure and justification of the nature and purpose of \$750 for support of a dependent who does not live with debtors; (4) there is inadequate disclosure and justification of debtors' making three car payments for the two of them; (5) without justification of these deductions in the proposed plan and disclosure statement, debtors have more income to commit to the plan with a higher creditor dividend. Appearances are required on 10/18/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Don P. Chairez

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

CONT... Don P. Chairez and Maria J. Chairez

Chapter 11

Jeffrey A Cogan

Joint Debtor(s):

Maria J. Chairez

Represented By
Jeffrey A Cogan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

2:15-27143 Don P. Chairez and Maria J. Chairez

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. TD, 9/20/17, 10/18/17, 11/29/17

Docket 101

Tentative Ruling:

The court notes that debtors filed an amended disclosure statement on 1/31/18 for their first amended plan filed on 7/31/17. The court notes that not all of the concerns raised in the court's prior tentative rulings and repeated comments during prior hearings on debtors' disclosure statements have been addressed regarding financial data of the husband's law practice for the past three years and the justification of the payment for the expenses of dependents, which are not provided in the amended disclosure statement. The court is considering dismissal of the case for failure to file a disclosure statement within the time fixed under the Bankruptcy Code or by order of the court pursuant to 11 U.S.C. 1112(b)(4)(J). Cause exists for dismissal or conversion under 11 U.S.C. 1112(b)(4)(J) because in this small business Chapter 11 case, debtors have failed to timely confirm their plan within 45 days of the filing of their plan on 11/23/16, that is, the deadline was 3/8/17, as required by 11 U.S.C. 1129(e) and 1121(e). In re Roots Rents, Inc., 420 B.R. 28 (Bankr. D. Idaho 2009). Appearances are required on 2/7/18, but counsel may appear by telephone.

Updated tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits. Appearances are required on 10/18/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

CONT... **Don P. Chairez and Maria J. Chairez**

Chapter 11

Prior tentative ruling as of 9/18/17. No tentative ruling on the merits. Appearances are required on 9/20/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. The court has reviewed debtors' status report filed on 8/23/17. The court also notes that on 8/23/17, the United States Trustee filed a motion to dismiss or convert noticed for hearing on 9/20/17 on grounds that debtors have failed to notice their filed disclosure statement and plan for hearing and to pay quarterly United States Trustee fees. Given the age of the case, the court does not see any reason why the filed disclosure statement and plan have not been noticed for hearing to creditors and that the court should countenance further delay in this case due to such failure as well as the failure to pay quarterly fees. Appearances are required on 8/30/17, but counsel may appear by telephone.

No updated tentative ruling as of 6/27/17. Appearances are required on 6/28/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 4/12/17, but counsel may appear by telephone in accordance with the court's telephonic appearance procedures.

Party Information

Debtor(s):

Don P. Chairez

Represented By
Jeffrey A Cogan
Jeffrey A Cogan

Joint Debtor(s):

Maria J. Chairez

Represented By
Jeffrey A Cogan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#3.00 Cont'd pretrial confrence re: Motion by creditor Cindy Magleby for entry of order dismissing debtor's chapter 11 case
fr. 7/26/17, 9/27/17, 11/29/17

Docket 115

Tentative Ruling:

Updated tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because there are disputed factual issues that requires an evidentiary hearing. Parties should be prepared to discuss their discovery needs and scheduling of pretrial and trial proceedings. Appearances are required on 11/16/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#4.00 Cont'd hearing re: Debtor's motion to disallow claims of Cindy S. Magleby
(claim numbers 13, 7, and 12)
fr. 12/13/17

Docket 390

Tentative Ruling:

Updated tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. If claimant believes that the court should permissively abstain from hearing this contested matter, then she should bring a proper motion for abstention rather than raising the request in her opposition to the objection. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). However, it seems to the court that it could properly hear the objection to claim as a core proceeding under 28 U.S.C. 157(b)(2)(B) and not abstain under *In re Conejo Enterprises, Inc.*, 96 F.3d 346 (9th Cir. 1996). Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#5.00 Cont'd hearing re: Motion to disallow claims of Banc of California, N.A.
fr. 12/13/17

Docket 372

Tentative Ruling:

Updated tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#6.00 Cont'd hearing re: Renewed motion for order disallowing claims of Fried & Goldsman, APLC (claim no. 15) and Taylor and Liberman (claim no. 16) fr. 12/13/17

Docket 394

Tentative Ruling:

Updated tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#7.00 Cont'd hearing re: Disclosure statement
fr. 7/26/17, 9/27/17, 11/29/17

Docket 174

Tentative Ruling:

Updated tentative ruling as of 2/5/18. The court notes that debtor filed a second amended disclosure statement on 1/30/18, 8 days before the further hearing on 2/7/18. Creditor Banc of California filed a response on 1/31/18 objecting to debtor's noticing approval of the amended disclosure statement for the hearing on 2/7/18, citing the court's oral ruling that creditors should be given 3 weeks notice of hearing on an amended disclosure statement. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, including adequate time for creditors to respond to debtor's second amended disclosure statement and a scheduling of a further hearing on debtor's second amended disclosure statement to allow for review and comment by creditors and interested parties, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. The court has reviewed debtor's status report. Appearances are required on 11/29/17 to discuss scheduling of further proceedings, including filing date for debtor's second amended disclosure statement, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. Debtor in his status report filed on 2/22/17 indicated that he and his counsel are working on revising and amending the original

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

disclosure statement to include a revised and updated liquidation analysis and taking into account resolutions of claims of creditors, including First Republic Bank (however, the court notes that it disapproved without prejudice the stipulation resolving claim of First Republic Bank in light of objection of creditor Cindy Magelby since it appears that debtor will need to bring a FRBP 9019 motion). Appearances are required on 3/1/17 regarding scheduling of further proceedings for an amended and revised disclosure statement, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

#8.00 Cont'd status conference re: Complaint to recover property of the estate and for turnover of property of the estate pursuant to section 542(a) of the United States Bankruptcy Code, 11 U.S.C. §542(a)
fr. 7/26/17, 9/27/17, 11/29/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

tentative ruling on the merits. Appearances are required on 9/13/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Cindy Magleby

Pro Se

Plaintiff(s):

Curtis C. Magleby

Represented By
Alan F Broidy

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01331 Magleby v. Magleby

#9.00 Cont'd status conference re: Complaint objecting to discharge of debtor pursuant to 11 U.S.C. §§523(a)(5), (a)(15) and §727 fr. 7/26/17, 9/27/17, 11/29/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

No tentative ruling as of 11/14/16. Appearances are required on 11/16/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

Alan F Broidy
Illyssa I Fogel

Defendant(s):

Curtis C. Magleby

Pro Se

Plaintiff(s):

Cindy Magleby

Represented By
Michael J Conway

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

2:16-25844 Completion 123, Inc

Chapter 11

#10.00 Status conference re: Post confirmation of chapter 11 plan
fr. 7/26/17, 10/11/17

Docket 129

Tentative Ruling:

Off calendar. The status conference is moot since a final decree has been entered and the case is now closed. No appearances are necessary.

Party Information

Debtor(s):

Completion 123, Inc

Represented By
James R Selth
Elaine Nguyen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#11.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/16/17, 11/15/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/5/18. The court has reviewed debtors' status report, and the court is inclined to set a further status report in 90 days. No tentative ruling on the merits. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 11/15/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Paul Bodeau

Represented By
Lane K Bogard

Joint Debtor(s):

Sandra Bodeau

Represented By
Lane K Bogard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

11:00 AM

2:17-24478 Julie Gamido

Chapter 11

#11.10 Cont'd hearing re: Motion in individual chapter 11 case for order authorizing use of cash collateral
fr. 1/31/18

Docket 32

Tentative Ruling:

Updated tentative ruling as of 2/5/18. The court is inclined to grant the motion since the objecting party does not have an interest in the cash collateral since there is no assignment of rents provision in its trust deed on the subject real property. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because there are factual issues regarding valuation of the subject property and whether the rents are cash collateral or not. Debtor argues that they are not cash collateral citing the trust deed instrument, but the court is unable to determine the merits of this argument since she does not provide the court with a copy. Appearances are required on 1/31/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Julie Gamido

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 07, 2018

Hearing Room 1675

2:00 PM

2:13-17409 Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

#12.00 Cont'd hearing re: Renewed motion of Foremost Groups, Inc. to amend the judgment of the bankruptcy court to add Tangshan Ayers Bath Equipment Co. Ltd. as judgment debtor
fr. 1/24/18

Docket 118

***** VACATED *** REASON: Cont'd from 2/7/18 to 3/7/18 at 9:00 a.m.
per order entered on 1/31/18-st**

Tentative Ruling:

Updated tentative ruling as of 2/5/18. Off calendar. Continued on the court's own motion by prior order to 3/7/18 at 9:00 a.m. No appearances are required on 2/7/18.

Prior tentative ruling. Continued by stipulation and order to 2/7/18 at 2:00 p.m. No appearances are required on 1/24/18.

Party Information

Debtor(s):

Ayers Bath (U.S.A.), Co.,Ltd.

Represented By
Jeffrey S Renzi
Ryan S Fife

Trustee(s):

Alfred H Siegel (TR)

Represented By
Anthony A Friedman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

10:00 AM

2:11-50322 Qian Hao Chu

Chapter 7

Adv#: 2:12-01019 MGM Grand Hotel, LLC et al v. Chu

#1.00 Order to Show Cause Why Judgment Debtor Qian Hao Chu Should not be held in Contempt for Failure to Appear for Judgment Debtor Examination pursuant to the Order to Appear for Examination entered on November 2, 2017

Docket 67

Tentative Ruling:

No tentative ruling as of 2/12/18. Appearances are required on 2/23/18.

Party Information

Debtor(s):

Qian Hao Chu

Represented By
Maria W Tam Esq

Defendant(s):

Qian Hao Chu

Pro Se

Plaintiff(s):

MGM Grand Hotel, LLC

Represented By
William A Orzel

Bellagio, LLC.

Represented By
William A Orzel

The Mirage Casino Hotel

Represented By
William A Orzel

Aria Resort & Casino Holdings LLC

Represented By
William A Orzel

Trustee(s):

David A Gill (TR)

Represented By
Kevin Meek
David A Gill (TR)

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

10:00 AM

CONT... Qian Hao Chu

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

10:00 AM

2:11-50322 Qian Hao Chu

Chapter 7

Adv#: 2:12-01019 MGM Grand Hotel, LLC et al v. Chu

#2.00 Cont'd hearing re: Judgment debtor to appear for examination re enforcement of judgment
fr. 12/12/17

Docket 61

Tentative Ruling:

No tentative ruling as of 2/12/18. Appearances are required on 2/23/18.

No tentative ruling as of 12/11/17. Appearances are required on 12/12/17.

Party Information

Debtor(s):

Qian Hao Chu

Represented By
Maria W Tam Esq

Defendant(s):

Qian Hao Chu

Pro Se

Plaintiff(s):

MGM Grand Hotel, LLC

Represented By
William A Orzel

Bellagio, LLC.

Represented By
William A Orzel

The Mirage Casino Hotel

Represented By
William A Orzel

Aria Resort & Casino Holdings LLC

Represented By
William A Orzel

Trustee(s):

David A Gill (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

10:00 AM

CONT...

Qian Hao Chu

Kevin Meek
David A Gill (TR)

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Tracy Piazza Leaton VS Debtor)

Docket 465

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief, including retroactive annulment of stay, for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 7 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Movant(s):

Tracy Piazza Leaton

Represented By
William M Garrett Jr

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

10:30 AM

2:17-25747 Paul Manuel Do Canto and 4152010th Street, LLC.

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(41520 10th Street, LLC VS Debtor)

Docket 7

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Paul Manuel Do Canto

Represented By
David Lozano

Movant(s):

4152010th Street, LLC.

Represented By
Paul E Gold

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

10:30 AM

CONT... Paul Manuel Do Canto and 4152010th Street, LLC.

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

10:30 AM

2:18-10171 Renato H Hahn and Lisa Hahn

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Bank of the West VS Debtors)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Renato H Hahn

Represented By
Young K Chang

Joint Debtor(s):

Lisa Hahn

Represented By
Young K Chang

Movant(s):

BANK OF THE WEST

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

10:30 AM

CONT... Renato H Hahn and Lisa Hahn

Mary Ellmann Tang

Chapter 7

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

1:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

Adv#: 2:15-01392 Arrache et al v. Adelman

#6.00 Status conference re: Complaint objecting to: (A) Dischargeability of debt [11 U.S.C. §523(a)(2)(A), and 11 U.S.C. §523(a)(6)]; and (B) Discharge of debtor [11 U.S.C. §727(a)(4) and §727(a)(5)]
fr. DS

Docket 1

Tentative Ruling:

The court has reviewed plaintiff's unilateral status report and the declaration in support thereof. No tentative ruling on the merits. Appearances are required on 2/13/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Defendant(s):

Fred Matthew Adelman

Pro Se

Plaintiff(s):

Ronald Arrache

Represented By
Jerome Bennett Friedman

Nancy Arrache

Represented By
Jerome Bennett Friedman

Ronald Arrache Construction

Represented By
Jerome Bennett Friedman

Navigators Specialty Insurance

Represented By
Jerome Bennett Friedman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

1:30 PM

CONT... Fred Matthew Adelman

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

1:30 PM

2:17-19081 Jarrod Cornelius Porter

Chapter 7

Adv#: 2:17-01571 Porter v. Navient U.S. Department of Education Loan Servicin

#7.00 Status conference re: Adversary complaint

Docket 1

***** VACATED *** REASON: Another summons issued on 2/8/18, S/C
reset to 4/10/18 at 1:30 p.m.-mb.**

Tentative Ruling:

Revised tentative ruling as of 2/12/18. Off calendar. Another summons was issued on 2/8/18 resetting the status conference to 4/10/18 at 1:30 p.m. No appearances are required on 2/13/18.

Party Information

Debtor(s):

Jarrod Cornelius Porter Pro Se

Defendant(s):

Navient U.S. Department of Pro Se

Nelnet Pro Se

Plaintiff(s):

Jarrod Cornelius Porter Pro Se

Trustee(s):

Howard M Ehrenberg (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#8.00 Status conference re: Complaint for: (1) Declaratory Relief Regarding Alleged Standing Of Defendants Under Note And Deed Of Trust; (2) Declaratory Relief Regarding Purported Foreclosure Sale And Trustees Deed Upon Sale And Title To Real Property; (3) Declaratory Relief Regarding Unlawful Detainer Action; (4) Turnover Of Real Property; (5) Disallowance Of Any Claims Of JPMorgan Chase Bank, N.A.; (6) Violation Of Fair Debt Collection Practices Act

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed the joint status report and also notes on the case docket that there is a hearing on the motion of defendant JP Morgan Chase Bank, N.A. to dismiss plaintiff's amended complaint on 2/27/18 at 3:00 p.m., which may have an impact on scheduling in this adversary proceeding. Therefore, the court on its own motion continues the status conference to 2/27/18 at 3:00 p.m. to be conducted with the hearing on the motion to dismiss the amended complaint. No appearances are required on 2/13/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Pro Se

QUALITY LOAN SERVICE

Pro Se

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

1:30 PM

2:17-22722 Reyna Maria Taylor

Chapter 7

#9.00 Cont'd status conference re: Involuntary petition
fr. 11/28/17, 12/12/17

Docket 1

***** VACATED *** REASON: Cont'd from 2/13/18 to 3/6/18 at 2:30 p.m.
per order entered on 2/9/18- st**

Tentative Ruling:

Updated tentative ruling as of 2/12/18. Off calendar. The court has reviewed the joint status report and also notes on the case docket that there is a hearing on the motion of the alleged debtor to dismiss petitioning creditor's amended involuntary petition on 3/6/18 at 2:30 p.m., which may have an impact on scheduling in this case. Therefore, the court on its own motion continues the status conference to 2/27/18 at 2:30 p.m. to be conducted with the hearing on the motion to dismiss the amended petition. No appearances are required on 2/13/18.

Revised tentative ruling as of 12/11/17. Off calendar. The court determines that oral argument on the motion to dismiss is not necessary, dispenses with it, takes the motion under submission, vacates the hearing and status conference, and is entering a decision and an order on the motion. No appearances are required on 12/12/17.

Prior tentative ruling. The court has reviewed the joint status report and on its own motion continues the status conference to 12/12/17 at 3:30 p.m. to be conducted with the hearing on alleged debtor's motion to dismiss. No appearances are required on 11/28/17.

Party Information

Debtor(s):

Reyna Maria Taylor

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:00 PM

2:13-39626 Peter James Eichler, Jr

Chapter 7

Adv#: 2:14-01547 Stahl, Chapter 7 Trustee v. Eichler, Jr

#10.00 Cont'd pretrial conference re: Complaint against debtor Peter James Eichler, Jr.
for denial of discharge [11 U.S.C. §727]
fr. 8/29/17, 9/26/17, 11/28/17

Docket 1

***** VACATED *** REASON: Cont'd from 2/13/18 to 4/17/18 at 2:00 p.m.
per stip & order entered on 1/31/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 2/12/18. Off calendar. Continued by stipulation and order to 4/17/18 at 2:00 p.m. No appearances are required on 2/13/18.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Updated tentative ruling as of 9/25/17. Off calendar. Continued by stipulation and order to 11/28/17 at 2:00 p.m. No appearances are required on 9/26/17.

Prior tentative ruling as of 6/26/17. Off calendar. Continued by stipulation and order to 8/29/17 at 2:00 p.m. No appearances are required on 6/27/17.

Prior tentative ruling as of 3/20/17. Off calendar. Continued by stipulation and order to 4/25/17 at 2:00 p.m. No appearances are required on 3/21/17.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 1/20/15, but counsel may appear by telephone.

Party Information

Debtor(s):

Peter James Eichler Jr

Represented By
Christian T Kim
James A Dumas Jr
Miri Kim Wakuta

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:00 PM

CONT... Peter James Eichler, Jr

Chapter 7

Defendant(s):

Peter James Eichler Jr

Pro Se

Plaintiff(s):

Alberta P. Stahl, Chapter 7 Trustee

Represented By
Monica Y Kim

Trustee(s):

Alberta P Stahl (TR)

Represented By
Carmela Pagay
Monica Y Kim
Timothy J Yoo

Alberta P Stahl (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:00 PM

2:16-26024 Carmen Guerrero

Chapter 7

Adv#: 2:17-01188 Caterpillar Financial Services Corporation v. Guerrero

#11.00 Pretrial conference re: Complaint: 1) to determine debt nondischargeable and 2) objecting to discharge [11U.S.C. §§523 and 727] fr. 5/9/17, 11/14/17

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on 2/12/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 2/12/18. Due to the failure of the parties to comply with the court's scheduling order of 12/7/17 and rulings at the status conference on 11/14/17, the court is inclined to continue the trial scheduled for 2/13/18 because the matter is not ready for trial. Plaintiff timely filed its witness list by the deadline of 1/19/18, but failed to file the trial declarations of its nonadverse cooperative witnesses, including its special account representative Stephanie Floyd, and failed to file its exhibit list as the court orally ruled at the status conference on 11/14/17 (the court notes that it signed the proposed scheduling order submitted by plaintiff which neglected to put in the deadline for plaintiff's exhibit list), which were also due on 1/19/18. Defendant failed to file the trial declarations of her nonadverse cooperative witnesses, including herself, failed to file her witness list, and failed to file her exhibit list as the court orally ruled at the status conference on 11/14/17 (the court notes that it signed the proposed scheduling order submitted by plaintiff which also neglected to put in the deadline for defendant's exhibit list), which were all due on 2/2/18. Appearances are required on 2/13/18 to discuss the lack of compliance with the court's scheduling order and rulings, to address whether sanctions should not be imposed against counsel for both sides who were present at the status conference on 11/14/17 for failure to comply with the court's order and rulings and to discuss deadlines for compliance with the court's scheduling order and rulings and rescheduling of trial, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17 to discuss scheduling of further

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:00 PM

CONT... Carmen Guerrero Chapter 7

proceedings, including pretrial conference and trial, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set discovery completion date of 10/31/17 and set a post-discovery status conference for 11/14/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 6/30/17 and to complete mediation by 11/14/17. Appearances are required on 5/9/17, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Carmen Guerrero

Represented By
Guy R Bayley

Defendant(s):

Carmen Guerrero

Pro Se

Plaintiff(s):

Caterpillar Financial Services

Represented By
Mark D Poniatowski

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:30 PM

2:15-10768 Brian J Cook and Victoria Velasquez Cook

Chapter 7

#12.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Heide Kurtz, Chapter 7 Trustee]

Docket 389

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 2/13/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Brian J Cook

Represented By
Rex Tran
Theresa J Macellaro
Rosaline S Ayoub

Joint Debtor(s):

Victoria Velasquez Cook

Represented By
Andrew Goodman
Yi S Kim
Robert D Bass
Rex Tran
Theresa J Macellaro

Trustee(s):

Heide Kurtz (TR)

Represented By
Lei Lei Wang Ekvall

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:30 PM

CONT...

Brian J Cook and Victoria Velasquez Cook

Kyra E Andrassy

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:30 PM

2:15-10768 Brian J Cook and Victoria Velasquez Cook

Chapter 7

#13.00 Hearing re: Application for fees and expenses
[Smiley Wang-Ekvall, LLP, Attorney for Chapter 7 Trustee]

Docket 384

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 2/13/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Brian J Cook

Represented By
Rex Tran
Theresa J Macellaro
Rosaline S Ayoub

Joint Debtor(s):

Victoria Velasquez Cook

Represented By
Andrew Goodman
Yi S Kim
Robert D Bass
Rex Tran
Theresa J Macellaro

Trustee(s):

Heide Kurtz (TR)

Represented By
Lei Lei Wang Ekvall
Kyra E Andrassy

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:30 PM

2:15-10768 Brian J Cook and Victoria Velasquez Cook

Chapter 7

#14.00 Hearing re: Application for fees and expenses
[Hahn Fife & Company, LLP, Accountant for Chapter 7 Trustee]

Docket 382

Tentative Ruling:

Approve final fee application of accountants for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 2/13/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Brian J Cook

Represented By
Rex Tran
Theresa J Macellaro
Rosaline S Ayoub

Joint Debtor(s):

Victoria Velasquez Cook

Represented By
Andrew Goodman
Yi S Kim
Robert D Bass
Rex Tran
Theresa J Macellaro

Trustee(s):

Heide Kurtz (TR)

Represented By
Lei Lei Wang Ekvall
Kyra E Andrassy

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#15.00 Hearing re: Motion by the chapter 7 trustee objecting to the debtor's amended schedules filed December 12, 2017 (docket no. 229) to claim a homestead exemption in the real property at 329 Hawaiian Avenue, Wilmington, CA and to claim a "tools of the trade" exemption in commissions

Docket 241

Tentative Ruling:

No tentative ruling as of 2/12/18. Appearances are required on 2/13/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Marc Weitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:30 PM

2:16-26739 Kyong Don Chu

Chapter 7

Adv#: 2:17-01223 Nextwave Enterprises LLC v. Chu

#16.00 Hearing re: Plaintiff's motion for default judgment under LBR 7055-1

Docket 19

***** VACATED *** REASON: Cont'd from 2/13/18 to 4/3/18 at 1:30 p.m.
per order entered on 2/09/18-pj.**

Tentative Ruling:

Off calendar. The court on its own motion is continuing the hearing and status conference to 4/3/18 at 1:30 p.m. for plaintiff to file supplemental briefing to demonstrate that the elements of a claim for fraudulent transfer either under state and/or federal law has been met setting forth the factual basis for the court to grant the motion for default judgment on its claims under 11 U.S.C. 523(a)(2)(A) and (a)(6). Plaintiff must file its supplemental brief citing the elements of a fraudulent transfer claim under state and/or federal law and any supplemental evidence showing that all of the elements of a fraudulent transfer claim has been met by 3/13/18. No appearances are required on 2/13/18.

Party Information

Debtor(s):

Kyong Don Chu

Represented By
M Teri Lim

Defendant(s):

Kyong Don Chu

Pro Se

Plaintiff(s):

Nextwave Enterprises LLC

Represented By
Ronald P Slates
Jesse Yanco

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:30 PM

CONT... Kyong Don Chu

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:30 PM

2:16-26739 Kyong Don Chu

Chapter 7

Adv#: 2:17-01223 Nextwave Enterprises LLC v. Chu

- #17.00** Cont'd status conference re: Complaint for nondischageability for: 1) Debts incurred through false pretenses, false representation or actual fraud under 11 U.S.C. §523(a)(2) (A); 2) Debts incurred through willful and malicious injury to property under 11 U.S.C. § 523(a)(6)
fr. 11/28/17, 11/28/17, 12/19/17

Docket 1

***** VACATED *** REASON: Cont'd from 2/13/18 to 4/3/18 at 1:30 p.m.
per order entered on 2/09/18-pj.**

Tentative Ruling:

Updated tentative ruling as of 2/12/18. Off calendar. The court on its own motion is continuing the hearing and status conference to 4/3/18 at 1:30 p.m. for plaintiff to file supplemental briefing to demonstrate that the elements of a claim for fraudulent transfer either under state and/or federal law has been met setting forth the factual basis for the court to grant the motion for default judgment on its claims under 11 U.S.C. 523(a)(2)(A) and (a)(6). Plaintiff must file its supplemental brief citing the elements of a fraudulent transfer claim under state and/or federal law and any supplemental evidence showing that all of the elements of a fraudulent transfer claim has been met by 3/13/18. No appearances are required on 2/13/18.

Prior tentative ruling as of 12/18/17. No tentative ruling on the merits. Appearances are required on 12/19/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Updated tentative ruling as of 9/11/17. The court has reviewed plaintiff's unilateral status report, again stating that default has been entered against defendant and that plaintiff is preparing a motion for default judgment. Appearances are required on 9/12/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:30 PM

CONT... Kyong Don Chu

Chapter 7

Prior tentative ruling as of 6/5/17. The court has reviewed plaintiff's unilateral status report, stating that default has been entered against defendant and that plaintiff is preparing a motion for default judgment. The court on its own motion continues the status conference to 9/12/17 at 1:30 p.m. No appearances are required on 6/6/17.

Party Information

Debtor(s):

Kyong Don Chu

Represented By
M Teri Lim

Defendant(s):

Kyong Don Chu

Pro Se

Plaintiff(s):

Nextwave Enterprises LLC

Represented By
Ronald P Slates
Jesse Yanco

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:30 PM

2:17-18962 Alexander Yulish

Chapter 7

#18.00 Hearing re: Trustees motion to approve compromise between trustee and BL2 Inc.

Docket 49

Tentative Ruling:

Grant trustee's motion to approve compromise with BL2 Inc. for the reasons stated in the moving papers and lack of timely written opposition. Appearances are optional on 2/13/18, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Alexander Yulish

Represented By
Todd L Turoci

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Sonia Singh
Eric P Israel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 13, 2018

Hearing Room 1675

2:30 PM

2:17-15730 Rossby Ruiz

Chapter 7

#18.10 Hearing re: Motion for order clarifying scope of permanent injunction under 11 U.S.C. §524

Docket 14

***** VACATED *** REASON: Cont'd from 2/13/18 to 2/20/18 at 2:30 p.m.
per order entered on 2/09/18-pj.**

Tentative Ruling:

Off calendar. Continued on the court's own motion to 2/20/18 at 2:30 p.m.
No appearances are required on 2/13/18.

Party Information

Debtor(s):

Rossby Ruiz

Represented By
Freddie V Vega
David J Richardson

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 14, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of plan
fr. 7/12/17, 9/13/17, 10/18/17

Docket 123

Tentative Ruling:

Updated tentative ruling as of 2/12/18. The court has reviewed debtor's status report. Debtor will need to address the notice of delinquency in filing United States Trustee reporting requirements filed on 1/2/18. Appearances are required on 2/13/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits. Appearances are required on 10/18/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/11/17. Appearances are required on 9/13/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/10/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Updated tentative ruling as of 10/17/16. The court has reviewed debtor's status report and declaration and exhibits attached thereto. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 14, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Debtor to explain whether the checks attached to his declaration filed on 9/16/16 have brought the plan entirely current. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/7/16. Appearances are required on 3/9/16, but counsel may appear by telephone.

Prior tentative ruling as of 2/1/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 2/3/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 11/23/15. The court has reviewed debtor's post-confirmation status report. Appearances are required on 11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/25/15. Appearances are required on 8/26/15, but counsel may appear by telephone.

Prior tentative ruling as of 4/13/15. Off calendar. The court has reviewed debtor's post-confirmation status report and sets a further status conference on its own motion to 8/26/15 at 11:00 a.m. A further status report is due 8/21/15. No appearances are required on 4/15/15.

Prior tentative ruling as of 1/26/15. Off calendar. The court has reviewed debtor's post-confirmation status report and continues the status conference on its own motion to 4/15/15 at 11:00 a.m. A further status report is due 4/8/15. No appearances are required on 1/28/15.

Prior tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 14, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

No updated tentative ruling as of 7/21/14. Appearances are required on 7/23/14, but counsel may appear by telephone.

Prior tentative ruling as of 7/8/14. No tentative ruling on the merits. Appearances are required on 7/9/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's post-confirmation status report and continues the status conference to 5/7/14 at 11:00 a.m. No appearances required on 11/6/13, but a further status report is due on 4/30/14.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E Mcgoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 14, 2018

Hearing Room 1675

11:00 AM

2:12-15626 Forbco Sizzler Partners, L.P.

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. 7/26/17, 8/30/17, 11/8/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/12/18. No tentative ruling on the merits. Appearances are required on 2/14/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Forbco Sizzler Partners, L.P.

Represented By
Robert E Opera
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 14, 2018

Hearing Room 1675

11:00 AM

2:12-16456 GSM Wireless Inc

Chapter 11

#3.00 Hearing re: Application for payment of final fees and/or expenses for Eagan Avenatti LLP fka Eagan O'malley Avenatti, LLP, Special Counsel to Chapter 7 Trustee

Docket 1103

Tentative Ruling:

Approve final application of special counsel for Chapter 11 trustee for fees and/or expenses for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 2/14/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

GSM Wireless Inc

Represented By

Evan D Smiley
Hutchison B Meltzer
Philip E Strok
Lisa P. Grassi
Thomas H Petrides
Winthrop Couchot Professional Corporation

Trustee(s):

Steven M Speier (TR)

Represented By

Robert P Goe
Steven M Speier

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 14, 2018

Hearing Room 1675

11:00 AM

2:12-16456 GSM Wireless Inc

Chapter 11

#4.00 Hearing re: First & final application for compensation and reimbursement of expenses of Goe & Forsythe, LLP

Docket 1102

Tentative Ruling:

Approve final fee application of attorneys for Chapter 11 trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 2/14/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

GSM Wireless Inc

Represented By

Evan D Smiley
Hutchison B Meltzer
Philip E Strok
Lisa P. Grassi
Thomas H Petrides
Winthrop Couchot Professional Corporation

Trustee(s):

Steven M Speier (TR)

Represented By
Robert P Goe
Steven M Speier

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 14, 2018

Hearing Room 1675

11:00 AM

2:12-16456 GSM Wireless Inc

Chapter 11

#5.00 Hearing re: First and final application for allowance and payment of fees and reimbursement of expenses of Squar, Milner, Peterson, Miranda & Williamson, LLP accountants to chapter 11 trustee

Docket 1088

Tentative Ruling:

Approve final fee application of accountants for Chapter 11 trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 2/14/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

GSM Wireless Inc

Represented By

Evan D Smiley

Hutchison B Meltzer

Philip E Strok

Lisa P. Grassi

Thomas H Petrides

Winthrop Couchot Professional Corporation

Trustee(s):

Steven M Speier (TR)

Represented By

Robert P Goe

Steven M Speier

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 14, 2018

Hearing Room 1675

11:00 AM

2:15-24071 Francisco O Lopez

Chapter 11

#6.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 4/26/17, 8/30/17, 11/8/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/12/18. No tentative ruling on the merits. Regarding United States Trustee's limited opposition to motion to close case on an interim basis, debtor needs to address the objection regarding unpaid United States Trustee quarterly fees. Appearances are required on 2/14/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/17. No tentative ruling on the merits. The court notes that debtor filed a motion for order closing case on an interim basis with notice and opportunity for a hearing pursuant to LBR 9013-1(o). Debtor has not filed a declaration of non-opposition. The court is inclined to deny the motion without prejudice because there is no evidence in support of the assertions made in the motion. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. The court has reviewed debtor's postconfirmation status report, reporting he anticipates filing a motion for final decree within the next 90 days. Appearances are required on 4/26/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's postconfirmation status report. No tentative ruling on the merits. Appearances are required on 11/30/16, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 14, 2018

Hearing Room 1675

11:00 AM

CONT... Francisco O Lopez

Chapter 11

Debtor(s):

Francisco O Lopez

Represented By
Nam H. Le

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 14, 2018

Hearing Room 1675

11:30 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#7.00 Order to show cause why case should not be dismissed pursuant to Local Bankruptcy Rule 9011-2(a)

Docket 6

***** VACATED *** REASON: Per order entered on 2/8/18-st**

Tentative Ruling:

Off calendar. The court has reviewed debtor's response to the order to show cause and has issued an order discharging the order to show cause. No appearances are required on 2/14/18.

Party Information

Debtor(s):

People Who Care Youth Center, Inc. Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, February 15, 2018

Hearing Room 1675

9:00 AM

2:16-18163 Anthony Curtis Wells

Chapter 7

**#1.00 TRIAL RE: Objection of chapter 7 trustee to debtor's homestead exemption
fr. 1/23/18**

Docket 101

Tentative Ruling:

Updated tentative ruling as of 2/8/18. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 2/15/18.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set for an evidentiary hearing. The court will set a short evidentiary hearing to allow the parties to submit and establish a factual record for the court's ruling and for possible appellate review. It appears that debtor as the party claiming the exemption under California law has the burden of proving entitlement to the exemption. In re Diaz, 547 B.R. 329, 337 (9th Cir. BAP 2016), citing inter alia, Raleigh v. Illinois Department of Revenue, 530 U.S. 15, 20-21 (2000); but see, In re Carter, 182 F.3d 1027, 1029 n. 3 (9th Cir. 1999); FRBP 4003 (c). The court understands that the trustee relies upon BAP authority in In re Glass, 164 B.R. 759, 761 (9th Cir. BAP 1994) to argue that the exemption should be denied because debtor's transfer to his spouse was voluntary and recovered by the trustee or concealed, but this court considers BAP opinions to be persuasive only and not controlling. In re Arnold, 471 B.R. 578, 588-590 (Bankr. C.D. Cal. 2012). The court believes that there should be a clear factual record for its ruling and possible appellate review and will set the matter for evidentiary hearing, at which time the parties should submit their exhibits and call witnesses for testimony (i.e., the record is unclear as to the various transmigrations of the subject property). Appearances are required on 2/23/18 to discuss scheduling, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Trustee(s):

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, February 15, 2018

Hearing Room 1675

9:00 AM

CONT... Anthony Curtis Wells
Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest
John Clark Brown Jr

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, February 16, 2018

Hearing Room 1675

9:00 AM

2:16-18600 Jens Larsen

Chapter 7

Adv#: 2:16-01446 Perske v. Larsen

#1.00 Cont'd hearing re: Plaintiff Jacquelynn Perske's motion in limine no. 2 to exclude evidence or argument relating to the "advice of counsel" defense fr. 11/9/17, 1/22/18, 1/26/18

Docket 115

Tentative Ruling:

Updated tentative ruling as of 2/8/18. No tentative ruling will be issued for trial. Appearances are required on 2/16/18.

Prior tentative ruling as of 1/25/18. No tentative ruling will be issued for trial. Appearances are required on 1/26/18.

Prior tentative ruling as of 1/18/18. No tentative ruling will be issued for trial. Appearances are required at the rescheduled time of 10:00 a.m.

No updated tentative ruling as of 10/31/17. Appearances are required on 11/9/17.

No tentative ruling as of 10/23/17. Appearances are required on 10/26/17.

Party Information

Debtor(s):

Jens Larsen

Represented By
Matthew D Resnik

Defendant(s):

Jens F Larsen

Represented By
Joseph W Kellener

Plaintiff(s):

Jacquelynn Perske

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, February 16, 2018

Hearing Room 1675

9:00 AM

CONT... Jens Larsen

Damion Robinson

Chapter 7

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Carmela Pagay
Diane C Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, February 16, 2018

Hearing Room 1675

9:00 AM

2:16-18600 Jens Larsen

Chapter 7

Adv#: 2:16-01446 Perske v. Larsen

#2.00 CONT'D TRIAL RE: Complaint for (1) determination of non-dischargeability of debt pursuant to 11 U.S.C. §523; and (2) denial of discharge pursuant to 11 U.S.C. §723 fr. 11/9/17, 1/22/18, 1/26/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/8/18. No tentative ruling will be issued for trial. Appearances are required on 2/16/18.

Prior tentative ruling as of 1/25/18. No tentative ruling will be issued for trial. The court has been advised that defendant is not available to appear for further examination on 1/26/18, so his further examination will be rescheduled. Appearances are required on 1/26/18 to discuss procedural matters and scheduling of further trial proceedings.

Prior tentative ruling as of 1/18/18. No tentative ruling will be issued for trial. Appearances are required at the rescheduled time of 10:00 a.m.

No updated tentative ruling as of 10/31/17. Appearances are required on 11/9/17.

Prior tentative ruling as of 1/9/17. The court has reviewed plaintiff's unilateral status report. No updated tentative ruling on the merits. Appearances are required on 1/10/17.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 12/6/16.

Party Information

Debtor(s):

Jens Larsen

Represented By
Steven L. Kimmel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, February 16, 2018

Hearing Room 1675

9:00 AM

CONT... Jens Larsen

Chapter 7

Defendant(s):

Jens F Larsen

Pro Se

Plaintiff(s):

Jacquelynn Perske

Represented By
Darrel C Menthe

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

10:30 AM

2:17-24205 Aldo M. Juarez

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(BMW Bank of North America VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Aldo M. Juarez

Represented By
Jennifer Ann Aragon

Movant(s):

BMW Bank of North America

Represented By
Bret D. Allen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

10:30 AM

CONT... Aldo M. Juarez

Chapter 7

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

10:30 AM

2:17-25346 Faiz Ahmed

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(2550 - Mill Cubed, LLC fka Southwest Industries VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny requests for extraordinary relief in paragraphs 7, 9, 10 and 11 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Faiz Ahmed

Represented By
Sina Maghsoudi

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

10:30 AM

2:17-25398 Zachery Robert Valdespino

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(A-L Financial Corporation VS Debtor)

Docket 12

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 3 to confirm no stay in effect for lack of legal authority and/or evidentiary support. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Zachery Robert Valdespino

Represented By
Charles J Brash

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

1:30 PM

2:15-11554 Velocity Regional Center, LLC

Chapter 7

Adv#: 2:17-01128 Leslie v. Edward C. Lee, CPA

#4.00 Cont'd status conference re: Complaint for: (1) avoidance of voidable transfers; and (2) recovery of avoided transfers [11 U.S.C. §§ 544 and 550] fr. 8/15/17, 10/17/17, 1/9/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/16/18. No tentative ruling on the merits. Appearances are required on 2/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. Off calendar. Continued by stipulation and order to 2/20/18 at 1:30 p.m. No appearances are required on 1/9/18.

Prior tentative ruling as of 10/16/17. Off calendar. Continued by stipulation and order to 1/9/18 at 1:30 p.m. No appearances are required on 10/17/17.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report stating that the matter is in the process of being resolved and continues the status conference on its own motion to 6/27/17 at 1:30 p.m. Plaintiff to notify defendant of the continuance. No appearances are required on 4/4/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Velocity Regional Center, LLC

Represented By
Stephen B Mashney
Jerome D Stark

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

1:30 PM

CONT... Velocity Regional Center, LLC

Chapter 7

Defendant(s):

Edward C. Lee, CPA

Pro Se

Plaintiff(s):

Sam Leslie

Represented By
Carmela Pagay

Trustee(s):

Sam S Leslie (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

1:30 PM

2:16-18163 Anthony Curtis Wells
Adv#: 2:16-01341 Dumas v. Wells

Chapter 7

#5.00 Cont'd status conference re: Complaint for nondischargeability of debt
(USC §523(a)(2)(A)(6))
fr. 3/28/17, 5/30/17, 9/26/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/16/18. Off calendar. The court has reviewed the joint status report suggesting that the status conference be continued to May 2018 in light of the pending appeal in the related state court litigation where oral argument is estimated to be scheduled that month. The court on its own motion continues the status conference to 5/22/18 at 1:30 p.m. No appearances are required on 2/20/18.

Prior tentative ruling as 9/25/17. Off calendar. The court has reviewed the joint status report stating that the related state court appellate proceedings are still pending and that the status conference should be continued to February 2018. The court on its own motion continues the status conference to 2/20/18 at 1:30 p.m. Counsel for plaintiff is ordered to file and serve a notice of continuance of status conference. No appearances are required on 9/26/17.

Prior tentative ruling as 5/26/17. No tentative ruling on the merits. Appearances are required on 5/30/17 to update the status of the state appellate proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/27/17. The status conference will be delayed to 2:00 p.m. because the court has a commitment offsite at the lunch hour. The court has reviewed the joint status report discussing the status of the related proceedings before the state appellate court and requesting a continuance of the status conference pending the decision of the state appellate court. The court on its own motion continues the status conference to 9/26/17 at 1:30 p.m. and orders the parties to file a further joint status report by 9/19/17. No appearances are required on 3/28/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

1:30 PM

CONT... Anthony Curtis Wells

Chapter 7

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/4/16 to discuss scheduling of mediation and trial, and the arrangements for a stay of this adversary proceeding pending appellate review of judgment in related state court litigation, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Anthony Curtis Wells

Pro Se

Plaintiff(s):

Jose L. Dumas

Represented By
John Clark Brown Jr

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

1:30 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01153 Michael C. Lin, Trustee of The Hellion Trust v. Martinez

#6.00 Cont'd status conference re: Complaint to except debt from discharge
fr. 4/18/17, 11/14/17, 12/19/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/18/17. No tentative ruling on the merits.
Appearances are required on 12/19/17 to discuss scheduling of further
proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits.
Appearances are required on 11/14/17 to discuss scheduling of further
proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the unilateral status report filed
by defendant. Set a discovery cutoff date of 10/31/17 and a further
postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status
report due on 11/3/17. Order the matter to mediation, the parties are to file a
request for selection of mediator and alternate mediator by 5/19/17 and
complete mediation by 11/10/17. Appearances are required on 4/18/17, but
counsel may appear by telephone. Plaintiff to submit a proposed scheduling
order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

1:30 PM

CONT... Anthony Roy Martinez

Chapter 7

Plaintiff(s):

Michael C. Lin, Trustee of The

Represented By
Henry D Paloci

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

1:30 PM

2:16-26326 Randolph Carl Scales

Chapter 7

Adv#: 2:17-01192 Diamond, Chapter 7 Trustee, Plaintiff v. Scales

#7.00 Cont'd status conference re: Trustee's complaint: (1) to avoid and recover fraudulent transfer; and (2) for turnover fr. 5/16/17

Docket 1

***** VACATED *** REASON: Cont'd from 2/20/18 to 5/22/18 at 1:30 p.m.
per stip & order entered on 1/4/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 2/16/18. Continued by stipulation and order to 5/22/18 at 1:30 p.m. No appearances are required on 2/20/18.

Prior tentative ruling. The court has reviewed the joint status report. Set discovery completion date of 1/31/18 and set a post-discovery status conference for 2/20/18 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 7/31/17 and to complete mediation by 2/28/17. Appearances are required on 5/16/17, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Randolph Carl Scales

Represented By
Daniel King

Defendant(s):

Michelle Renee Scales

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Sonia Singh

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

1:30 PM

CONT... Randolph Carl Scales

Chapter 7

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Zev Shechtman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

1:30 PM

2:17-11797 Jay Yoon

Chapter 7

Adv#: 2:17-01281 Lavitex, Inc. v. Yoon

#8.00 Order to show cause why sanctions should not be imposed against defendant and defendant's attorney Young K. Chang for failure to appear at the January 9, 2018 status conference hearing

Docket 15

***** VACATED *** REASON: Order discharging order to show cause and vacating hearing entered on 2/13/18-mb.**

Tentative Ruling:

Off calendar. Having reviewed the response of counsel for defendant to the order to show cause and the declaration in support thereof, the court has issued an order discharging the order to show cause and vacating the hearing. No appearances are required on 2/20/18.

Party Information

Debtor(s):

Jay Yoon

Represented By
Young K Chang

Defendant(s):

Jay Yoon

Represented By
Young K Chang

Plaintiff(s):

Lavitex, Inc.

Represented By
K Tom Kohan

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

1:30 PM

2:17-18186 Ken Elvis Arnold

Chapter 7

Adv#: 2:17-01495 Sharafian v. Arnold et al

#9.00 Cont'd status conference re: Complaint for nondischargeability of debt pursuant to § 11 U.S.C. §523 (a)(4) and §11 U.S.C. §523(a)(6) of the Bankruptcy Code fr. 12/12/17

Docket 1

***** VACATED *** REASON: Judgment entered on 12/20/17; Adv. closed on 1/22/18-mb.**

Tentative Ruling:

Off calendar. Judgment entered and adversary proceeding closed. No appearances are necessary.

Party Information

Debtor(s):

Ken Elvis Arnold

Represented By
Michael E Clark

Defendant(s):

Ken Elvis Arnold

Pro Se

Darlene Diana Arnold

Pro Se

Joint Debtor(s):

Darlene Diana Arnold

Represented By
Michael E Clark

Plaintiff(s):

Shahram Sharafian

Represented By
Sepehr Omrani

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

1:30 PM

2:17-21936 Samuel Chea

Chapter 7

Adv#: 2:17-01585 Wolkowitz v. Lim et al

#10.00 Status conference re: Complaint for: (1) Avoidance of voidable transfer; (2) Recovery of avoided transfer; and (3) Turnover of property [11 U.S.C. §§542, 544, 548 and 550]

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed the joint status report indicating that counsel has recently been retained by defendant and that the parties have not had their LBR 7026-1 initial meeting. The court on its own motion continues the status conference to 3/27/18 at 1:30 p.m. Trustee to give email or telephonic notice to counsel for defendant of the continuance of the status conference. No appearances are required on 2/20/18.

Party Information

Debtor(s):

Samuel Chea

Represented By
Anthony E Contreras

Defendant(s):

Annie Lim

Pro Se

Tony C. Sok

Pro Se

Samuel Chea

Pro Se

Plaintiff(s):

Edward M Wolkowitz

Represented By
Carmela Pagay

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

2:00 PM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

#10.10 Cont'd hearing re: Chapter 7 trustee's motion to approve compromise of controversy an authorize payment of auctioneer fr. 2/6/18

Docket 23

Tentative Ruling:

Updated tentative ruling as of 2/16/18. No tentative ruling on the merits. The court will hear argument on the motion. Appearances are required on 2/20/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Prior tentative ruling as of 2/5/18. Appearances are required on 2/6/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

2:30 PM

2:12-15683 Sergio Anibal Del Cid Alegria

Chapter 7

#11.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Rosendo Gonzalez, Chapter 7 Trustee]

Docket 170

Tentative Ruling:

No tentative ruling on the trustee's final report because in the proposed distribution on Exhibit D to the report, the trustee proposes a payment of \$32,662.01 for his compensation, but states that his maximum compensation under 11 U.S.C. 327 is \$21,449.43. The trustee needs to explain his request for payment of compensation. Otherwise, approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are required on 2/20/18, but trustee and counsel may appear by telephone.

Party Information

Debtor(s):

Sergio Anibal Del Cid Alegria

Represented By
Stephen R Wade
W. Derek May

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

2:30 PM

2:12-15683 Sergio Anibal Del Cid Alegria

Chapter 7

#12.00 Hearing re: Application for fees and expenses
[Shulman Hodges & Bastian LLP, Attorney for Chapter 7 Trustee]

Docket 167

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 2/20/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Sergio Anibal Del Cid Alegria

Represented By
Stephen R Wade
W. Derek May

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

2:30 PM

2:12-15683 Sergio Anibal Del Cid Alegria

Chapter 7

#13.00 Hearing re: Application for fees and expenses
[Karl T. Anderson, CPA Inc. Accountant for Chapter 7 Trustee]

Docket 168

Tentative Ruling:

Approve final fee application of accountants for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 2/20/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Sergio Anibal Del Cid Alegria

Represented By
Stephen R Wade
W. Derek May

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

2:30 PM

2:17-19081 Jarrod Cornelius Porter

Chapter 7

Adv#: 2:17-01571 Porter v. Navient U.S. Department of Education Loan Servicin

#14.00 Hearing re: Motion to to permit Educational Credit Management Corporation to intervene as a defendant in the adversary proceeding

Docket 20

Tentative Ruling:

Grant motion to intervene for the reasons stated in the moving papers and for lack of timely written opposition. The motion may be moot in that plaintiff has filed an amended complaint which names movant as a defendant. Appearances are required on 2/20/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Jarrod Cornelius Porter Pro Se

Defendant(s):

Navient U.S. Department of Pro Se

Nelnet Pro Se

Educational Credit Management Represented By
Scott A Schiff

Movant(s):

Educational Credit Management Represented By
Scott A Schiff

Plaintiff(s):

Jarrod Cornelius Porter Pro Se

Trustee(s):

Howard M Ehrenberg (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

2:30 PM

CONT... Jarrod Cornelius Porter

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

2:30 PM

2:17-15730 Rossby Ruiz

Chapter 7

#14.10 Cont'd hearing re: Motion for order clarifying scope of permanent injunction under 11 U.S.C. §524 fr. 2/13/18

Docket 14

Tentative Ruling:

Updated tentative ruling as of 2/16/18. Deny without prejudice because movant must bring an adversary proceeding for the relief sought. Appaerances are required on 2/20/18, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 2/20/18 at 2:30 p.m. No appearances are required on 2/13/18.

Party Information

Debtor(s):

Rosby Ruiz

Represented By
Freddie V Vega
David J Richardson

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

3:00 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#15.00 Cont'd hearing re: Motion of plan agent to sanction 400 S. La Brea, LLC, for violations of Fed. R. Bankr. P. 9011 fr. 12/19/17

Docket 257

***** VACATED *** REASON: Cont'd from 2/20/18 to 3/27/18 at 3:00 p.m.
by stip & order entered on 1/4/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/27/18 at 3:00 p.m. No appearances are required on 2/20/18.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Douglas Christmas

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By
Alan W Forsley

ACE MUSEUM, a California

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 20, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

400 S La Brea, LLC a California

Represented By
Michael W Vivoli
Ashley M McDow
Michael T Delaney

Jennifer Kellen

Represented By
Jerome Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#1.00 Cont'd hearing re: Disclosure statement
fr. 11/15/17, 12/6/17, 1/24/18

Docket 94

Tentative Ruling:

Updated tentative ruling as of 2/16/18. No tentative ruling on the merits. Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. The amended disclosure statement is deficient and needs to be revised. First and foremost, no plan was attached to the disclosure statement, including Exhibits A and B, as well as the recently approved stipulation and order between debtor and secured creditor Christiana Trust. If debtor meant to attach the Plan last filed on 9/1/16, it should be updated to be accompany the amended disclosure statement. The court agrees with the objections of creditor Umbrella Investment Group that the amended disclosure statement lacks adequate information, including basic information about payment of general unsecured claims, how, what amounts and when. The last filed plan on 9/1/16 stated that general unsecured claims will be paid 100% and that debtor has rental income of \$8,300, but no information is provided as to how, when and what means to implement the plan, so creditors can evaluate feasibility. Financial projections of income and expense for the duration of the plan term are missing and should have been provided. Perhaps debtor's use of the form disclosure statement should be jettisoned, and debtor should use a narrative disclosure statement in plain English to describe what he proposes to the creditors in his plan. Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. Pending before the court is debtor's amendment to disclosure statement filed on 9/1/16, which has been noticed for hearing on 12/5/17. This amendment amends the original disclosure statement filed on 11/17/15. The original disclosure statement of 11/17/15 looks like a disclosure statement whereas the amendment filed on 9/1/16 does not. The amendment looks like an add-on amendment and does not

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

contain sufficient information to constitute a disclosure statement that the court could approve and allow to be sent out to creditors. Debtor will have to draft an updated disclosure statement that is self-contained in order for the plan to be considered by the court and creditors, and thus, the court will deny approval of the 9/1/16 amendment as debtor's disclosure statement. Appearances are required on 12/5/17 to discuss how long it will take debtor to revise his disclosure statement, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. The court has reviewed debtor's notice that tax returns have been prepared and filed, and the court expects to discuss debtor's plans for filing an amended disclosure statement. Appearances are required on 11/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits. Debtor was to address accountant's opinion regarding tax consequences of proposed property sales. Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. Debtor will need to address United States Trustee's objection regarding the estimates of income taxes needed to cover capital gains liability, but it appears that the amended disclosure statement is otherwise approvable, despite the United States Trustee's style suggestion, which the court does not agree with. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits.
Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits.
Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits.
Appearances are required on 5/18/16 to address the objections of the United States Trustee and objecting creditors, but counsel (other than debtor's counsel) may appear by telephone. Debtor should be prepared to discuss the treatment of each class of creditors since the proposed plan does not make it clear (e.g., 10 monthly payments for a number of classes, but no balloon payment stated). Perhaps debtor would have an easier time in not using the optional Chapter 11 form plan and disclosure statement and prepare a manually generated plan and disclosure statement and stating the proposed terms of the plan in a narrative.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits.
Appearances are required on 3/16/16, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. Debtor to address objections of United States Trustee and creditors to draft disclosure statement regarding adequacy of information. The source of funding of plan is unclear. No historical financial data or projections are provided, which should be provided for each property as well as the debtor's business and living expenses. Since it appears that this is probably a cramdown plan situation due to the dispute over appropriate interest rates on secured claims, Debtor should be prepared to discuss how he will prove the appropriate cramdown rates of interest (i.e., is debtor submitting expert witness opinion testimony on interest rates?). Appearances are required on 1/13/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

CONT...

Stassen Conrad Goins

Brad Weil

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 11/15/17, 12/6/17, 1/24/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. No tentative ruling on the merits.
Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits.
Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits.
Appearances are required on 11/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits.
Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. No tentative ruling on the merits.
Appearances are required on 4/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits.
Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits.
Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits.
Appearances are required on 11/16/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits.
Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits.
Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits.
Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits.
Appearances are required on 5/18/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits.
Appearances are required on 3/16/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/12/16. Appearances are required on
1/13/16, but counsel may appear by telephone.

No updated tentative ruling as of 11/23/15. Appearances are required on
11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 10/19/15. Appearances are required on
10/21/15, but counsel may appear by telephone

No updated tentative ruling as of 9/15/15. Appearances are required on
9/16/15, but counsel may appear by telephone.

No updated tentative ruling as of 9/8/15. Appearances are required on
9/9/15, but counsel may appear by telephone.

Prior tentative ruling as of 8/3/15. No tentative ruling on the merits.
Appearances are required on 8/5/15, but counsel may appear by telephone.

No updated tentative ruling as of 7/20/15. Appearances are required on
7/22/15, but counsel may appear by telephone.

No tentative ruling as of 7/6/15. Appearances are required on 7/8/15, but
counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

Movant(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#3.00 Cont'd hearing re: Motion for order authorizing and approving adequacy of debtor's disclosure statement describing debtor's chapter 11 plan fr. 12/6/17

Docket 158

Tentative Ruling:

Updated tentative ruling as of 2/16/18. No tentative ruling on the merits. Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling. Deny approval of proposed disclosure statement for lack of adequate information. The disclosure statement does not contain the information normally expected, such as the matters identified in *In re Metrocraft Pub. Servs. Inc.*, 30 B.R. 567, 568 (Bankr. N.D. Ga. 1984) discussed in the moving papers. The disclosure statement does not give meaningful information to creditors about how the plan works; it is just a collection of spreadsheets with little explanation. There is no explanation of how payments are going to be made under the plan, monthly, quarterly, annually, etc. There is a computation of net income on Exhibit C, but that does not translate into how plan payments are going to be made to creditors. The financial history spreadsheet, Exhibit D, is sparse and uninformative as to both the income and expenses of debtor, and just provides summary figures from the MORs.

The liquidation analysis, Exhibit G, is incomplete, and may not necessarily reflect the correct net equity of debtor since the asset values and encumbrances differ for each piece of collateral, and simply aggregating them does not necessarily mean that there is total negative net equity of the estate as computed (i.e., there is no explanation of the liens, whether they are only as to specific collateral or blanket liens). Debtor says there is no need to consider Chapter 7 administrative costs since there is negative net equity in debtor's assets in the aggregate, but these should be computed.

The court should also deny approval of the disclosure statement because the debtor's proposed new value plan on its face gives the exclusive new value

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

opportunity to its sole shareholder, Ji K. Lim, and is not sufficiently market tested within the meaning of Bank of America National Trust and Savings Association v. 203 North LaSalle Street Partnership ("LaSalle"), 526 U.S. 434 (1999); see also, In re NNN Parkway 400 26, LLC, 505 B.R. 277, 281-283 (Bankr. C.D. Cal. 2014)(Albert, J.); see also, In re Arnold, 471 B.R. 578, 586 (Bankr. C.D. Cal. 2012)(approval of disclosure statement should be denied if plan is nonconfirmable on its face). As Judge Albert observed in NNN Parkway 400 26, LLC, "LaSalle requires that the quantum of new value be market tested; otherwise the parties and the court cannot know whether the amount of new value is most available. And if more (or better) could be gotten elsewhere, then the equity is effectively keeping a form or property or interest in the debtor despite not paying the dissenting creditors in full, by exercising its exclusive 'option' to direct/determine the source of the new value. But LaSalle is frustratingly vague as to what exactly a debtor must do to 'market test' the interest; the Supreme Court expressly left the question open while naming some alternatives, such as the right to bid for the same interest or the right to file a competing plan." In re NNN Parkway 400 26, LLC, 505 B.R. at 281, citing LaSalle, 526 U.S. at 458; see also, LaSalle, 526 U.S. at 455 ("It is doomed, we can say without necessarily exhausting its flaws, by its provision for vesting equity in the reorganized business in the Debtor's partners without extending an opportunity to anyone else either to compete for that equity or to propose a competing reorganization plan."). "[D]ebtors bear the burden of showing that the new money offered is the most and best reasonably obtainable after some 'market testing' . . . This probably requires, at a minimum, demonstration of a systematic effort designed to 'market test' the deal." In re NNN Parkway 400 26, LLC, 505 B.R. at 283. There is no demonstration of any systematic effort designed to "market test" the deal shown in debtor's papers as far as this court can see.

The court also agrees with the objections of the committee and creditor Bank of Hope regarding the inadequacy of information regarding the new value contribution, the payment to unsecured creditors, the identification of postconfirmation directors and officers, treatment of creditor claims and impairment of secured claims.

Debtor uses the court form Chapter 11 plan and disclosure statement which are designed in part for individual Chapter 11 cases and simple Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

cases, and debtor does not use the official court attachments for these forms, but provides its own custom form attachments deviating from the court form attachments, and provide much less information than required by the court form attachments. In this case, debtor's use of these court forms is really uninformative, and debtor should use more traditional, narrative form plan documents to cover the Metrocraft factors.

Appearances are required on 12/6/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 7/26/17, 10/11/17, 1/17/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. No tentative ruling on the merits.
Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/10/17. No tentative ruling on the merits.
Appearances are required on 10/11/17, but counsel may appear by
telephone.

Revised tentative ruling as of 7/25/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
7/26/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits, but the court notes that the cash flow projection
described as Exhibit A was not attached to the status report. Appearances
are required on 4/19/17 to discuss setting of claims bar date and further
proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

2:17-22183 1060 Palms, LLC

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 11/29/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. The
proposed schedule of proceedings appears reasonable. However, this court
requires at least 60 days notice to creditors of any claims filing bar date.
Appearances are required on 11/29/17, but counsel may appear by
telephone.

Party Information

Debtor(s):

1060 Palms, LLC

Represented By
Moises S Bardavid

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

2:17-24478 Julie Gamido

Chapter 11

#6.00 Cont'd hearing re: Motion for order determining value of collateral
(real property located at 8268 Yarrow Lane, Riverside, CA 92508)
fr. 1/31/18

Docket 28

Tentative Ruling:

Off calendar. Continued by stipulation and order to 4/4/18 at 11:00 a.m. No
appearances are required on 2/21/18.

Party Information

Debtor(s):

Julie Gamido

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:00 AM

2:17-24478 Julie Gamido

Chapter 11

#6.10 Status hearing re: Motion in individual case for order imposing a stay or continuing the automatic stay as the court deems appropriate
fr. 12/19/17, 2/6/18

Docket 9

Tentative Ruling:

Updated tentative ruling as of 2/16/18. Off calendar. Continued by stipulation and order to 4/4/18 at 11:00 a.m. No appearances are required on 2/21/18.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/6/18, but counsel may appear by telephone.

No tentative ruling will be issued on the motion heard on shortened notice. Appearances are required on 12/17/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Julie Gamido

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

11:30 AM

2:18-10852 Tomboy Farms LLC

Chapter 7

#7.00 Order to show cause why case should not be dismissed pursuant to local bankruptcy rule 9011-2(a)

Docket 7

Tentative Ruling:

No tentative ruling as of 2/16/18. Appearances are required on 2/21/18.

Party Information

Debtor(s):

Tomboy Farms LLC

Pro Se

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 21, 2018

Hearing Room 1675

1:30 PM

2:11-50564 Boutros Mouhawas

Chapter 7

#8.00 Order to show cause re: sanctions against attorney Akhkashian for non-compliance with Local Bankruptcy Rule 5010-1(e)

Docket 26

***** VACATED *** REASON: Order vacating hearing on sanctions against counsel entered on 2/13/18-mb.**

Tentative Ruling:

Off calendar. Having reviewed the counsel declaration in response to the court's order to show cause re: sanctions, the court has issued an order vacating the hearing. No appearances are required on 2/21/18.

Party Information

Debtor(s):

Boutros Mouhawas

Represented By
Khachik Akhkashian

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, February 23, 2018

Hearing Room 1675

9:00 AM

2:16-26024 Carmen Guerrero

Chapter 7

Adv#: 2:17-01188 Caterpillar Financial Services Corporation v. Guerrero

#1.00 TRIAL RE: Complaint: 1) to determine debt nondischargeable and
2) objecting to discharge [11U.S.C. §§523 and 727]
fr. 5/9/17, 11/14/17, 2/13/18

Docket 1

Courtroom Deputy:

Tentative Ruling:

Updated tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17 to discuss scheduling of further proceedings, including pretrial conference and trial, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set discovery completion date of 10/31/17 and set a post-discovery status conference for 11/14/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 6/30/17 and to complete mediation by 11/14/17. Appearances are required on 5/9/17, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Carmen Guerrero

Represented By
Guy R Bayley

Defendant(s):

Carmen Guerrero

Pro Se

Plaintiff(s):

Caterpillar Financial Services

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, February 23, 2018

Hearing Room 1675

9:00 AM

CONT... Carmen Guerrero

Mark D Poniatowski

Chapter 7

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

10:30 AM

2:17-25817 Denise Ann Hatfield

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(CAB WEST LLC. VS Debtor)

Docket 8

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Denise Ann Hatfield

Represented By
Michael E Clark

Movant(s):

CAB WEST LLC

Represented By
Jennifer H Wang

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

10:30 AM

2:18-10243 Nantu Kahn

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Ismat Farhana VS Debtor)

Docket 9

Tentative Ruling:

Deny motion for stay relief as moot because the bankruptcy case was dismissed on 1/26/18. Appearances are optional on 2/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Nantu Kahn

Pro Se

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

10:30 AM

2:18-10302 Josefina Villanueva Maniago

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)

Docket 7

Tentative Ruling:

No tentative ruling. Movant has not submitted admissible evidence of standing to seek stay relief since it is not clear what Exhibit B is since it is not an authenticated certificate of title from a governmental agency, such as DMV. Appearances are required on 2/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Josefina Villanueva Maniago

Represented By
David H Chung

Movant(s):

Toyota Motor Credit Corporation

Represented By
Austin P Nagel

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

10:30 AM

2:18-10824 Brett Clark

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Harold Herskowitz VS Debtor)

Docket 9

Tentative Ruling:

No tentative ruling as of 2/26/18. It appears that movant has asked for a hearing on shortened notice under LBR 9075-1 without filing an application for hearing on shortened notice. Appearances are required on 2/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Brett Clark

Represented By
David H Chung

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

11:00 AM

2:17-21721 Encinal Entertainment Group Inc.

Chapter 7

#5.00 Hearing re: Renewed motion for 2004 examination and production of documents

Docket 32

Tentative Ruling:

No tentative ruling as of 2/26/18. Appearances are required on 2/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Encinal Entertainment Group Inc.

Represented By
Roland H Kedikian

Trustee(s):

Richard K Diamond (TR)

Represented By
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

1:30 PM

2:16-16503 Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01383 Richards, Individually and as Trustee of the Gwend v. Bishop

#6.00 Cont'd status conference re: Complaint for: nondischargeability of debts pursuant to 11 U.S.C. §523(a)(2)(A); 11 U.S.C. §523(a)(4); and §523(a)(6) fr. 11/28/17, 12/19/17, 1/30/18

Docket 1

***** VACATED *** REASON: Judgment entered on 2/22/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 2/26/18. Off calendar. Because the court has issued orders and a judgment on the pending motions under submission, the court on its own motion vacates the status conference on 2/27/18 at 1:30 p.m. No appearances are required on 2/27/18.

Updated tentative ruling as of 1/29/18. Off calendar. Because the court takes the pending motions under submission, is continuing review of the papers, the court on its own motion continues the status conference to 2/27/18 at 1:30 p.m. No appearances are required on 1/30/18.

Prior tentative ruling as of 12/18/17. Off calendar. Because the court takes the pending motions under submission and vacates the hearings on the motions, the court has issued an order further continuing the status conference to 1/30/18 at 1:30 p.m. No appearances are required on 12/19/17.

Prior tentative ruling as of 10/10/17. Off calendar. Because the court takes the pending motions under submission and vacates the hearings on the motions, the court vacates the pretrial conference on 10/11/17, but sets a further status conference for 11/28/17 at 1:30 p.m.

ses with further oral argument, vacates the hearing on 10/11/17 and takes the motion under submission. A written ruling will be issued shortly. No appearances are required on 10/11/17.

Updated tentative ruling as of 10/10/17. No tentative ruling on the merits. Appearances are required on 10/11/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

1:30 PM

CONT... Reggie Lyn Bishop

Chapter 7

Revised tentative ruling as of 9/25/17. Off calendar. The court determines that it needs more time to review the papers relating to the parties' motions and is issuing an order continuing the hearings and the pretrial conference for 2 weeks to 10/11/17 at 1:30 p.m. No appearances are required on 9/27/17.

Updated tentative ruling as of 8/28/17. Off calendar. At the hearing on plaintiffs' motion for summary judgment on 8/23/17, the court orally continued the pretrial conference to 9/27/17 at 1:30 p.m. to be conducted with the further hearing on the summary judgment motion. No appearances are required on 8/29/17.

Prior tentative ruling as of 6/26/17. The court has reviewed plaintiffs' unilateral pretrial stipulation and counsel declaration filed on 6/26/17. The court notes that neither party timely filed a joint pretrial stipulation by the deadline of 6/20/17 as previously ordered. Reserving a ruling on imposing sanctions for their noncompliance with the court's prior order, the court will order the parties to meet and confer to prepare a joint pretrial stipulation and will continue the pretrial conference to a date when they can first comply with the requirements of Local Bankruptcy Rule 7016-1 in submitting a joint pretrial stipulation. Appearances are required on 6/27/17.

Prior tentative ruling. This matter will be heard on the 3:30 p.m. calendar with the hearing on defendant's motion to dismiss. Appearances are required at 3:30 p.m. rather than 1:30 p.m. No tentative ruling on the merits.

Party Information

Debtor(s):

Reggie Lyn Bishop

Pro Se

Defendant(s):

Reggie Bishop

Pro Se

Plaintiff(s):

Law Offices of A. George Glasco,

Represented By
A. George Glasco

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

1:30 PM

CONT... Reggie Lyn Bishop

Chapter 7

Frederick F Richards III, as Trust

Represented By
A. George Glasco

Brenda Moore Richards,

Represented By
A. George Glasco

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01217 Gonzalez v. Brown et al

#7.00 Cont'd status conference re: Complaint for: (1) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §544(b)(1), 548(a)(1)(A), and 550, and California Civil Code §3439.04(a)(1); (2) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(I), and 550, and California Civil Code §3439.05; (3) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(II) and 550, and California Civil Code §3439.04(a)(2)(A); (4) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(III), and 550, and California Civil Code §3439.04(a)(2)(A); (5) Preservation of avoided transfer pursuant to 11 U.S.C. §551; (6) Disallowance of claim pursuant to 11 U.S.C. §502(d); and (7) Disallowance of claim pursuant to 11 U.S.C. §502(b)
fr. 5/30/17, 8/29/17, 9/12/17

Docket 1

***** VACATED *** REASON: Cont'd from 2/27/18 to 3/27/18 at 1:30 p.m.
per stip & order entered on 2/5/18-st**

Tentative Ruling:

Updated tentative ruling as of 2/26/18. Off calendar. Continued by stipulation and order to 3/27/18 at 1:30 p.m. No appearances are required on 2/27/18.

Prior tentative ruling as of 9/11/17. Appearances are required on 9/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status reports filed by the various parties. No tentative ruling on the merits. Appearances are required on 5/30/17.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
Stephen S Smyth
William J Smyth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

1:30 PM

CONT... Wladimir John Klimenko

Chapter 7

Defendant(s):

BANK OF THE WEST	Pro Se
Deanna Shapiro	Pro Se
JMS Financial, Inc	Pro Se
Jeffrey Alan Abraham	Pro Se
Wladimir J. Klimenko Living Trust	Pro Se
Wladimir John Klimenko	Pro Se
Acquplied Assets, B.T.	Pro Se
Law Office of Robert Brown	Pro Se
Robert Anthony Brown	Pro Se

Plaintiff(s):

Rosendo Gonzalez	Represented By Sherri S Shafizadeh Thomas A Fasel
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Trustee(s):

Rosendo Gonzalez (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01521 GRAND VIEW FINANCIAL, LLC v. WELLS FARGO BANK, N.A. et al

#8.00 Cont'd status conference re: Complaint for: (1) declaratory relief regarding title to real property; and (2) turnover of real property fr 1/9/18

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on 2/15/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 2/26/18. Off calendar. Adversary proceeding dismissed by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

WELLS FARGO BANK, N.A.

Pro Se

TIMOTHY KJOSNESS

Pro Se

TRINA KJOSNESS

Pro Se

WERKING, INC.

Pro Se

CLEAR RECON CORP.

Represented By
Todd S Garan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

1:30 PM

CONT... Grand View Financial LLC

Chapter 11

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

1:30 PM

2:18-10672 Julian Robinson

Chapter 7

#9.00 Status conference re: Involuntary petition

Docket 1

Tentative Ruling:

No tentative ruling as of 2/26/18. Appearances are required on 2/27/18.

Party Information

Debtor(s):

Julian Robinson

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

2:00 PM

2:17-21018 Prototype Engineering & Manufacturing, Inc.

Chapter 7

#9.10 Cont'd hearing re: Chapter 7 trustee's motion to approve compromise of controversy and authorize payment of auctioneer
fr. 2/6/18, 2/20/18

Docket 23

Tentative Ruling:

Updated tentative ruling as of 2/26/18. No tentative ruling on the merits. The court will hear further argument on the motion. Appearances are required on 2/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits. The court will hear argument on the motion. Appearances are required on 2/20/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Prior tentative ruling as of 2/5/18. Appearances are required on 2/6/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Prototype Engineering &

Represented By
Carol Chow

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#10.00 Hearing re: Motion to amend debtor's responsive brief regarding debtor's right to claim a homestead exemption in real property located at 329 Hawaiian Avenue, Wilmington, CA filed pursuant to orders entered August 2, 2017 and September 27, 2017 docket nos. 213 and 218

Docket 254

Tentative Ruling:

No tentative ruling as of 2/26/18. Appearances are required on 2/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Marc Weitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#10.10 Hearing re: Motion under LBR 2016-2 for approval of cash disbursements by the trustee

Docket 251

Tentative Ruling:

No tentative ruling as of 2/26/18. Appearances are required on 2/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Marc Weitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

2:30 PM

2:17-15334 Jesse Beltran and Silvia Godoy

Chapter 7

#11.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Wesley H. Avery, Chapter 7 Trustee]

Docket 86

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 2/27/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Jesse Beltran

Represented By
Michael F Chekian

Joint Debtor(s):

Silvia Godoy

Represented By
Michael F Chekian

Trustee(s):

Wesley H Avery (TR)

Represented By
David M Goodrich

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

2:30 PM

2:17-15334 Jesse Beltran and Silvia Godoy

Chapter 7

#12.00 Hearing re: Application for fees and expenses
[David M. Goodrich, Esq. Attorney for Chapter 7 Trustee]

Docket 84

Tentative Ruling:

Approve final fee application of attorney for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 2/27/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Jesse Beltran

Represented By
Michael F Chekian

Joint Debtor(s):

Silvia Godoy

Represented By
Michael F Chekian

Trustee(s):

Wesley H Avery (TR)

Represented By
David M Goodrich

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

2:30 PM

2:17-15334 Jesse Beltran and Silvia Godoy

Chapter 7

#13.00 Hearing re: Application for fees and expenses
[Jeffrey Sumpter, Consultant for Chapter 7 Trustee]

Docket 80

Tentative Ruling:

Approve final fee application of financial consultant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 2/27/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Jesse Beltran

Represented By
Michael F Chekian

Joint Debtor(s):

Silvia Godoy

Represented By
Michael F Chekian

Trustee(s):

Wesley H Avery (TR)

Represented By
David M Goodrich

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

2:30 PM

2:17-24369 Marvin Abel Sican Roca and Angelica Maria Rodriguez

Chapter 7

#14.00 Hearing re: Motion under 11 U.S.C. §110 for fines against Bankruptcy petition preparer: James Kazak and Legal Assistance Centers

Docket 13

Tentative Ruling:

Grant motion of United States Trustee for fine against bankruptcy petition preparer for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 2/27/18.

Party Information

Debtor(s):

Marvin Abel Sican Roca Pro Se

Joint Debtor(s):

Angelica Maria Rodriguez Pro Se

Movant(s):

United States Trustee (LA) Represented By
Ron Maroko

Trustee(s):

Wesley H Avery (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

2:30 PM

2:17-24330 Jung Ja Kim

Chapter 7

#14.10 Hearing re: Application to of chapter 7 trustee to employ Neiman Realty, Inc. as real estate broker and to enter into exclusive listing agreement

Docket 18

Tentative Ruling:

No tentative ruling on the merits. The court is inclined to trail the hearing on the employment application of the broker until the hearing on debtor's motion to convert, which has not been set yet by debtor in response to trustee's opposition to that motion. Appearances are required on 2/27/18 to discuss scheduling of the hearing on the motion to convert and the employment application, but counsel may appear by telephone. If debtor does not promptly notice the motion to convert for hearing, the court would proceed to rule on the employment application.

Party Information

Debtor(s):

Jung Ja Kim

Represented By
Donald E Iwuchuku

Trustee(s):

Wesley H Avery (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

3:00 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#15.00 Hearing re: Motion for reconsideration of order approving in part first interim application by Simon Resnik Hayes LLP, former general bankruptcy counsel for the debtor, for allowance of fees and reimbursement of costs for the period April 24, 2017 through September 1, 2017 (docket no. 194)

Docket 198

***** VACATED *** REASON: Matter vacated per order entered on 2/6/18-
mb**

Tentative Ruling:

Off calendar. The court vacated the hearing by order entered on 2/6/18. No appearances are required on 2/27/18.

Party Information

Debtor(s):

Eugen Valentin Dietl

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

3:00 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#16.00 Hearing re: Motion of defendant JPMorgan Chase Bank, N.A. to dismiss first amended complaint

Docket 13

Tentative Ruling:

Off calendar. The court on its own motion continues the hearing on the motion to dismiss to 3/20/18 at 3:00 p.m. A separate order is being entered. No appearances are required on 2/27/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Represented By
Matthew S Henderson

QUALITY LOAN SERVICE

Represented By
Merdaud Jafarnia

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

3:00 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#16.10 Cont'd status conference re: Complaint for: (1) Declaratory Relief Regarding Alleged Standing Of Defendants Under Note And Deed Of Trust; (2) Declaratory Relief Regarding Purported Foreclosure Sale And Trustees Deed Upon Sale And Title To Real Property; (3) Declaratory Relief Regarding Unlawful Detainer Action; (4) Turnover Of Real Property; (5) Disallowance Of Any Claims Of JPMorgan Chase Bank, N.A.; (6) Violation Of Fair Debt Collection Practices Act
fr. 2/13/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/26/18. Off calendar. The court on its own motion continues the status conference to 3/20/18 at 3:00 p.m. A separate order is being entered. No appearances are required on 2/27/18.

Prior tentative ruling. The court has reviewed the joint status report and also notes on the case docket that there is a hearing on the motion of defendant JP Morgan Chase Bank, N.A. to dismiss plaintiff's amended complaint on 2/27/18 at 3:00 p.m., which may have an impact on scheduling in this adversary proceeding. Therefore, the court on its own motion continues the status conference to 2/27/18 at 3:00 p.m. to be conducted with the hearing on the motion to dismiss the amended complaint. No appearances are required on 2/13/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Pro Se

QUALITY LOAN SERVICE

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

3:00 PM

CONT... Grand View Financial LLC

Chapter 11

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

3:00 PM

2:17-20802 Kirstin A Tidwell

Chapter 7

#17.00 Cont'd hearing re: Chapter 7 trustee's motion to approve compromise of controversy fr. 1/16/18

Docket 29

Tentative Ruling:

Updated tentative ruling as of 2/26/18. The court has reviewed the supplemental papers filed by the parties. The court makes the following preliminary observations:

Phelan property

The Phelan property was originally separate property of Glenn Tidwell, and by quitclaim deed on April 18, 2002, transferred it from him as separate property to the family trust as community property, and shortly thereafter, on June 28, 2002, the trust by Debtor and Glenn Tidwell as trustees transferred the property as community property back to Glenn Tidwell as his separate property. The property was transmuted from separate to community property and then back to separate property by deeds signed by the parties. California Family Code, § 852(a); *Estate of Bibb*, 67 Cal.App.4th 461 (2001); 2 Hogoboom and King, *California Practice Guide: Family Law*, ¶ 8:484 at 8-192 – 8-193 (2017). The Phelan property is separate property of Glenn Tidwell, and Debtor's interest in this asset is \$-0-. Debtor has not shown any community property contribution to acquisition of Phelan property during the limited time it was community property between April 18, 2002 and June 28, 2002 that would require reimbursement of any community property contribution to the acquisition of this separate property asset.

South Street property

The one-third interest in the South Street property was originally separate property of Glenn Tidwell, and during marriage (the exact date is not

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

3:00 PM

CONT...

Kirstin A Tidwell

Chapter 7

in the record), he transferred it from him as separate property to the family trust as community property, and shortly thereafter, on February 19, 2013, the trust by Debtor and Glenn Tidwell as trustees sold one-third interest in the property as community property to a third party, Gregory B. Randle, in exchange for a note secured by deed of trust of \$415,000 at 7% interest per annum (one-third interest is \$138,333) . Debtor does not dispute these facts. The deed transferring the property by him to the community is a transmutation under California Family Code, § 852(a). *Estate of Bibb*, 67 Cal.App.4th 461 (2001); 2 Hogoboom and King, *California Practice Guide: Family Law*, ¶ 8:484 at 8-192 – 8-193. The one-third interest in the note and trust deed is community property, but Glenn Tidwell is entitled to reimbursement of his separate property contributions to this asset under California Family Code, § 2640. There is no evidence that Glenn Tidwell expressly waived any right to reimbursement of his separate property contributions. *Marriage of Carpenter*, 100 Cal.App.4th 424 (2002); 2 Hogoboom and King, *California Practice Guide: Family Law*, ¶ 8:448 at 8-163 – 8-164. Thus, Glenn Tidwell is entitled to reimbursement of the value of the property at the time of the transfer as separate property, but the appreciation belongs to the community. 2 Hogoboom and King, *California Practice Guide: Family Law*, ¶ 8:466 at 8-176 – 8-177. However, there is not enough information for the court to value the respective interests of the parties because the value of the interest at the time of the transfer to the community and the amount of paydown of principal on the note are not facts in the record.

Pepperwood property

The Pepperwood property was originally separate property of Glenn Tidwell, and in 2002, he transferred it from him as separate property to the family trust as community property. The deed transferring the property by him to the community is a transmutation under California Family Code, § 852(a). *Estate of Bibb*, 67 Cal.App.4th 461 (2001); 2 Hogoboom and King, *California Practice Guide: Family Law*, ¶ 8:484 at 8-192 – 8-193. In any event, the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

3:00 PM

CONT...

Kirstin A Tidwell

Chapter 7

parties do not dispute the property is community property. *Marriage of Carpenter*, 100 Cal.App.4th 424 (2002); 2 Hogoboom and King, *California Practice Guide: Family Law*, ¶ 8:448 at 8-163 – 8-164. Thus, Glenn Tidwell is entitled to reimbursement of the value of the property at the time of the transfer as separate property, but the post-marital appreciation is apportioned between separate and community property contributions under the Moore/Marsden formula because this was the marital residence. 2 Hogoboom and King, *California Practice Guide: Family Law*, ¶ 8:295 *et seq.* at 8-113 – 8-124, *citing Marriage of Moore*, 28 Cal.3d 366 (1980) and *Marriage of Marsden*, 130 Cal.App.3d 426 (1982). When he transferred it to the trust, the fair market value of the property was \$257,000, and it is now worth \$900,000. Glenn Tidwell is entitled to first \$257,000 for premarital appreciation. Then the balance of the appreciation is to be allocated under Moore/Marsden between contributions of separate property and community property to principal. The court does not have enough information to determine the value of the parties' separate and community interests in the property because there is not enough information in the record as to what funds were used to acquire the property in light of the refinancing of the property during marriage.

Retirement account

Glenn Tidwell declares that the retirement account was opened and funded 12 years before marriage and has not "significantly" added to it during marriage. Debtor does not dispute this or show that there are community property contributions to this account. The account is his separate property.

Miscellaneous assets

Glenn Tidwell declares that certain vehicles were inherited by him before marriage. Debtor does not dispute this. These vehicles are his separate property.

More information as indicated herein is needed for the court to determine the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

3:00 PM

CONT...

Kirstin A Tidwell

Chapter 7

reasonableness of the settlement. The parties should be prepared to discuss how this information will be made part of the record. Appearances are required on 2/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. The court has concerns about the sufficiency of the record in order for the court to grant the motion to approve compromise under the applicable fair and equitable standard set forth in *In re A & C Properties*, 784 F.2d 1377 (9th Cir. 1986). Debtor objects to the compromise on grounds that it is not reasonable because it undervalues the estate's interests in community property of her and her former spouse and that : (1) the former spouse must agree to pay his one-half share of community credit card debt of \$17,195.75, or \$8,597.88; (2) the estate is entitled to half of the appreciation on the family residence of \$568,000, or \$284,000; (3) the estate is entitled to one-half of the Phelan property of \$250,000, or \$300,000; and (4) the estate is entitled to one-half of the former spouse's client trust account of \$50,000, or \$25,000.

As to debtor's first objection as to allocation of community credit card debt, the former spouse's liability for the credit card debt is really a matter for the family law court rather than this court since he is not the debtor in this bankruptcy case, and the court does not have jurisdiction to impose such liability on him. As to considerations of fairness of the compromise regarding the credit card debt, that is really for the family law court to decide.

As to the dispute regarding the computation of the debtor's community property interest in the family residence, there is insufficient information and explanation of the computation offered by the former spouse and relied upon by trustee. The explanation in the former spouse's trial brief filed in the family law court is conclusory and not substantiated by evidence or citation to case authority, so it is difficult for the court to analyze the merits of the justification offered by the trustee to compromise the value of the estate's interest in this property (i.e., what is the valuation of the property now - it is unclear if the parties agree on valuation since the former spouse looks to the value of the property and debtor looks to the value of appreciation, but there is no appraisal or valuation opinion by an appraiser or real estate professional for the current value of the property, how do we know how to allocate the appreciation of the property between separate property and community

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

3:00 PM

CONT...

Kirstin A Tidwell

Chapter 7

property after the transfer to the living trust).

As to the dispute over the Phelan property, debtor claims that the property is worth \$300,000, but it is unclear that this is the value of the entire property as opposed to the 1/6 interest of her and her former spouse. The former spouse contends that the estate has no value in this asset because he owned the property before marriage and there was no transmutation in the transfer to the living trust. There is no appraisal or valuation opinion by an appraiser or real estate professional for the current value of the property, and there is no copy of the living trust instrument to see how the property was characterized when it was transferred to the trust.

As to the former spouse's client trust accounts, it may be that debtor means the retirement accounts, which he proposes to be allocated between the "time rule." However, if debtor really meant the client trust accounts, there is no explanation that the estate or the former spouse has any interest in funds presumably on deposit for the benefit of his clients in the client trust account.

As to the proposed 100% payoff of creditor claims if the settlement is approved as demonstrating the paramount interest of creditors under A & C Properties, but in a surplus situation like this, it would seem to the court that the fairness and equity of the settlement under FRBP 9019 should also take in consideration the impact on the debtor's interest. Trustee should be prepared to address this concern with appropriate case authority.

Debtor provided a judge's copy of the opposition which does not separately tabbed the exhibits as required by LBR 5005-2(d), and while the court has read the opposition, the court will not consider the exhibits until debtor provides a compliant copy of the opposition with separately tabbed exhibits. Appearances are required on 1/16/18.

Party Information

Debtor(s):

Kirstin A Tidwell

Represented By
Michele A Dobson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, February 27, 2018

Hearing Room 1675

3:00 PM

CONT... Kirstin A Tidwell

Chapter 7

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

10:30 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#1.00 Cont'd hearing re: Motion to modify plan
fr. 11/29/17, 12/14/17, 1/9/18

Docket 263

Tentative Ruling:

Updated tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by
telephone.

Prior tentative ruling. Based on the stipulation and order entered on
10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and
11/3/17 and the related motion to modify plan set for 11/2/17 at 9:00 a.m. will
be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m.
Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

10:30 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#2.00 Cont'd hearing re: Motion to value collateral supporting claim 7-1
[11 U.S.C. §506(a), FRBP 3012]
fr. 11/29/17, 12/14/17, 1/9/18

Docket 223

Tentative Ruling:

Updated tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on
10/26/17, the hearing on 11/2/17 will be treated as a status conference.
Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

10:30 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#3.00 Cont'd status conference re: Confirmation of plan
fr. 11/29/17, 12/14/17, 1/9/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by
telephone.

Prior tentative ruling. Based on the stipulation and order entered on
10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and
11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at
9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by
telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

10:30 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 11/29/17, 12/14/17, 1/9/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/30/17. No tentative ruling on the merits.
Appearances are required on 11/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.
Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

10:30 AM

CONT... Swing House Rehearsal and Recording, Inc. Chapter 11

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

10:30 AM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 12/6/17, 12/14/17, 1/9/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits.
Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/17. No tentative ruling on the merits.
Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.
Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

10:30 AM

CONT... Philip Joseph Jaurigui Chapter 11

Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

10:30 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#5.10 Hearing re: Application to convert case to chapter 7 cased upon debtor's failure to comply with prior court order

Docket 314

Tentative Ruling:

No tentative ruling as of 2/26/18. Appearances are required on 2/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

10:30 AM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

Adv#: 2:17-01245 7175 WB, LLC v. Jaurigui

#6.00 Cont'd status conference re: Complaint to determine nondischargeability of debt
(11 U.S.C. §§523(a)(2) and (a)(6))
fr. 11/29/17, 12/14/17, 1/9/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by telephone.

Updated tentative ruling as of 11/6/17. No tentative ruling on the merits.
Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/27/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

10:30 AM

CONT... Philip Joseph Jaurigui

Chapter 11

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

7175 WB, LLC

Represented By
Michael D Good

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker, Sr

Chapter 11

#7.00 Hearing re: Application for payment of final fees and/or expenses of Dennis E. McGoldrick, debtor's attorney, Period: 3/30/2011 to 2/28/2018, Fee: \$50,000.00, Expenses: \$1039.00.

Docket 217

Tentative Ruling:

Approve final fee application of attorney for debtor-in-possession for reasons stated in the fee application and for lack of timely written objection with the understanding that the fees are capped at \$50,000 as stated in the notice of hearing and paragraph 14 of the application and that the expenses of \$1,039.00 are approved. Appearances are optional on 2/27/18, but applicant may appear by telephone. Applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E McGoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#8.00 Cont'd hearing re: Motion for entry of order conditionally dismissing bankruptcy case fr. 12/13/17, 12/20/17, 1/24/18

Docket 479

Tentative Ruling:

Updated tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. Appearances are required on 3/22/17.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. The court has concerns regarding the propriety of a "structured" dismissal (called "conditional" dismissal in the moving papers), i.e., whether the record is sufficient to warrant deviation from the normal procedures expressly provided in the Bankruptcy Code, i.e., a liquidating plan, case conversion or straight dismissal without conditions, or whether more broadly, whether structured dismissals are permitted at all, which may be at issue before the Supreme Court in *In re Jevic Holding Corp.*, 787 F.3d 173 (3rd Cir. 2015), cert. granted, *Czyzewski v. Jevic Holding Corp.* 136 S.Ct. 2541 (2016). See also, Transcript of Oral Argument, *Czyzewski v. Jevic Holding Corp.*, No. 15-649 (S.Ct., argued December 7, 2016); see also, e.g., Salerno, Hansen, Meyer, Schuster and Barsharis, *Advanced Chapter 11 Bankruptcy Practice*, Section 12.22 (2nd ed. online, 2016 Cum. Supp.); Greenberg, Smith and Taylor, "The Elephant Hiding in the Mousehole": *In re Jevic*, 2016 No. 10 Norton Bankr. L. Adviser NL 1 (online ed., October 2016); Pernick and Dean, "Structured Chapter 11 Dismissals: A Viable and Growing Alternative After Asset Sales," 29 *Am. Bankr. Inst. J.* 1 (June 2010); Eitel, Tinker and Lambert, "Structured Dismissals, or Cases Dismissed Outside of Code's Structure?", 30 *Am. Bankr. Inst. J.* 20 (March 2011). Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#9.00 CONT'D TRIAL RE: Final application for approval of compensation and expense reimbursement of Baker & Hostetler LLP fr. 12/13/17, 12/20/17, 1/24/18

Docket 482

Tentative Ruling:

Updated tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. Updated tentative ruling as of 5/11/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Ashley McDow. Appearances are required on 5/12/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 5/1/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Marc Benezra. Appearances are required on 5/3/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#10.00 Cont'd hearing re: Motion for approval of chapter 11 disclosure statement
fr. 12/13/17, 12/20/17, 1/24/18

Docket 157

Tentative Ruling:

Updated tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Updated tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

Updated tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. Appearances are required on 10/28/15, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/15/14. Appearances are required on 4/16/14, but

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC
counsel may appear by telephone.

Chapter 11

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits.
Appearances are required on 4/9/14 to discuss debtor's disclosure statement
and plan. Debtor has indicated that it intends to revise the disclosure
statement to address objections of United States Trustee.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

Movant(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#11.00 Cont'd status conference re: Management of chapter 11 case
fr. 12/13/17, 12/20/17, 1/24/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the status conference on its own motion to 12/13/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 12/13/17. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court has reviewed debtor's status report. In that the court is still deliberating on the final fee application of general bankruptcy counsel for debtor, the court continues the status conference on its own motion to 10/25/17 at 1:30 p.m. and dispenses with the requirement of a written status report for the status conference on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

10/25/17. No appearances are required on 8/30/17.

Updated tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

CONT... **Sarkis Investments Company, LLC** **Chapter 11**

11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

Prior tentative ruling as of 1/25/16. The court has reviewed debtor's status report. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. No tentative ruling on the merits. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

No updated tentative ruling as of 4/15/14. Appearances are required on 4/16/14.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan.

Prior tentative ruling as of 3/10/14. No tentative ruling on the merits. Appearances are required on 3/12/14, but counsel may appear by telephone.

Updated tentative ruling as of 2/24/14. No tentative ruling on the merits. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/14. The court has reviewed debtor's status report and the comments of the secured creditor on status. No tentative ruling. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 11/19/13. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/13. No tentative ruling on the merits. Appearances are required on 10/9/13.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

Updated tentative ruling as of 9/18/13. Off calendar. Continued at hearing on 9/17/13 to 10/9/13 at 11:30 a.m. No appearances required on 9/18/13.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/18/13, but counsel may appear by telephone.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

2:16-15233 Kristine Lynn Heicke

Chapter 11

#12.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. TD, 5/31/17, 9/27/17, 1/31/18

Docket 51

Tentative Ruling:

Updated tentative ruling as of 2/26/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/30/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No tentative ruling as of 5/26/17. Appearances are required on 5/31/17.

Prior tentative ruling. Because the only votes on the plan were received after the deadline set by the court's balloting deadline of 3/22/17 in the court's order filed and entered on 2/15/17, none of the votes may be counted under the order and FRBP 3017(c) and 3018(a). Because none of the votes cast were timely in order to be counted under the court's deadline order, debtor has not shown that there is at least one impaired class of claims accepting the plan as required for confirmation under 11 U.S.C. 1129(a)(10), so the plan may not be confirmed. Thus, the court is inclined to deny confirmation, but the court would consider a request by debtor to seek relief by motion under FRBP 9006(b)(1) to enlarge the time to cast votes as to the late cast votes based on a sufficient showing of "excusable neglect". See *In re Paul*, 101 B.R. 228 (Bankr. S.D. Cal. 1989). Appearances are required on 5/3/17.

Party Information

Debtor(s):

Kristine Lynn Heicke

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

CONT...

Kristine Lynn Heicke

Daniel King
Kevin Tang

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#13.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/24/17, 8/30/17, 12/6/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/26/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/17. The court has reviewed debtor's status report filed on 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

Updated tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By
Joshua L Sternberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#14.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/11/17, 1/17/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 10/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#15.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

People Who Care Youth Center, Inc. Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:30 AM

2:12-15652 Dale Alfred Williams

Chapter 11

#16.00 Cont'd status conference re: Management of chapter 11 case
fr. 9/13/17, 10/25/17, 1/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 3/28/18 at 11:30 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/8/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 2/28/18 at 11:30 a.m. No appearances are required on 1/10/18.

Prior tentative ruling as of 9/11/17. Off calendar. In light of the pending motion of the United States Trustee to dismiss or convert now set for hearing on 10/25/17 at 11:30 a.m., the court on its own motion continues the status conference to 10/25/17 at 11:30 a.m. No appearances are required on 9/13/17.

Prior tentative ruling as of 4/3/17. Off calendar. In light of the pendency of the litigation proceedings involving debtor's objection to the tax claims, the court on its own motion continues the status conference to 9/13/17 at 11:00 a.m. No appearances are required on 4/5/17.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:30 AM

CONT... Dale Alfred Williams

Chapter 11

Prior tentative ruling as of 6/13/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/15/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/16/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/9/15. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of litigation disputes of debtor's objection to the IRS claim and creditor Rory Williams's motion to file late-filed claim. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of debtor's objection to the IRS claim. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 8/25/14. Appearances are required on 8/27/14 to schedule a post-confirmation status conference, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

11:30 AM

CONT... Dale Alfred Williams

Chapter 11

Prior tentative ruling. The court continues on its own motion the status conference to 8/27/14 at 11:00 a.m. at which time the court will set a post-confirmation status conference in November 2014 since a post-confirmation status conference was not set at the confirmation hearing on 7/24/14. No appearances are required on 8/21/14

Party Information

Debtor(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

Movant(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

1:30 PM

2:12-10612 George Kontogeorgis and Sandra Carolina Sanchez

Chapter 7

#17.00 Hearing re: Motion for summary judgment against Thrifty Oil, Co., on motion to avoid lien or, in the alternative, for an order adjudication facts existing without substantial controversy

Docket 55

Tentative Ruling:

Grant debtors' motion for summary judgment for reasons stated in the moving papers and the lack of timely written opposition as required by LBR 7056-1(c) since creditor did not file a statement of genuine issues. Debtors will need to upload their statement of uncontroverted facts and conclusions of law for the court to review and approve. Regarding the proposed order, debtors will need to explain why the language requiring creditor to release the lien is required rather than them just recording a copy of an entered order avoiding the lien since the lien is "avoided" as opposed to "released." Appearances are required on 2/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

George Kontogeorgis

Represented By
George C Panagiotou
Robert G Uriarte

Joint Debtor(s):

Sandra Carolina Sanchez

Represented By
George C Panagiotou

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

1:30 PM

2:12-10612 George Kontogeorgis and Sandra Carolina Sanchez

Chapter 7

#18.00 Cont'd hearing re: Motion to avoid property lien with Thrifty Oil Co.
fr. 12/5/17

Docket 40

Tentative Ruling:

Updated tentative ruling as of 2/26/18. See tentative ruling on matter number 17.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the moving and opposing papers raise material issues of fact regarding debtors' entitlement to the claimed exemption of \$175,000 and the valuation of the subject property that requires an evidentiary hearing. Debtors bear the burden of proving entitlement to the claimed homestead exemption of \$175,000 under California law. In re Diaz, 547 B.R. 329, 336-337 (9th Cir. BAP 2016). The court rejects debtors' argument that the lienholder cannot now dispute the exemption since FRBP 4003(d) expressly provides that it may challenge the validity of the exemption asserted in a motion under 11 U.S.C. 522(f) to be impaired by the lien. Treat the hearing on 12/6/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/6/17, and the parties may not call their witnesses to testify on 12/6/17. The court estimates that the evidentiary hearing will take one-half day and will schedule it for either January or February 2018. If either party believes that there are no genuine issues of material fact and it is entitled to judgment as a matter of law, it may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/6/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

George Kontogeorgis

Represented By
George C Panagiotou

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, February 28, 2018

Hearing Room 1675

1:30 PM

**CONT... George Kontogeorgis and Sandra Carolina Sanchez
Robert G Uriarte**

Chapter 7

Joint Debtor(s):

Sandra Carolina Sanchez

Represented By
George C Panagiotou

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, March 01, 2018

Hearing Room 1675

9:00 AM

2:10-60711 Brunelle Equities LLC

Chapter 11

#1.00 TRIAL RE: Motion to dismiss case pursuant to 11 U.S.C. section 1112(b) or to convert case to chapter 7 fr. 12/6/17

Docket 213

Tentative Ruling:

Updated tentative ruling as of 2/28/18. Off calendar. Continued by stipulation and order to 4/12/18 at 9:00 a.m. No appearances are required on 3/1/18.

Prior tentative ruling as of 2/26/18. The court first notes that the parties submitted unilateral pretrial stipulations with counsel declarations as to the circumstances why the pretrial stipulations are unilateral. Aside from the issue of the declaration of counsel for debtor is not properly subscribed under 28 U.S.C. 1746(1) outside the United States requiring the language, "under the laws of the United States of America" as part of the jurat, the court disregards the unilateral pretrial stipulations because the court did not order that pretrial stipulations be filed, only witness and exhibit lists of the parties.

It seems that movant will be able to show at trial that debtor is in material default of the confirmed plan because it is now the assignee of the note and trust deed by the original noteholder, Bank of America, at the time of plan confirmation and that not all the plan payments on the claim have been made. Thus, there are probably grounds at least under 11 U.S.C. 1112(b)(4)(N) to establish cause to dismiss or convert. The court would have to consider what would be in the best interests of creditors and the estate to dismiss or convert once cause is shown. In re Sullivan, 522 B.R. 604 (9th Cir. BAP 2014). Thus, in this regard, the court would have to consider the interests of all creditors and the estate, and not just movant.

Perhaps movant may want to reconsider asking for dismissal here because dismissal is not going to get movant where it wants to go, i.e., revocation of the confirmed plan to restore its prebankruptcy rights, as argued in its trial brief at 22. The cases movant cites, In re Nash, 765 F.2d 1410 (9th Cir.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, March 01, 2018

Hearing Room 1675

9:00 AM

CONT... Brunelle Equities LLC

Chapter 11

1985) and In re Case, 27 B.R. 844 (Bankr. D.S.D. 1983), are completely inapposite since those were Chapter 13 cases, citing 11 U.S.C. 1307(b) and a Chapter 13 debtor's right of voluntary dismissal under that provision. In contrast, this is a Chapter 11 case where a debtor has no right of voluntary dismissal, and there is only one statute that provides for revocation of a confirmed plan, 11 U.S.C. 1144. Mere payment default is not enough to revoke a confirmed plan, but only if plan confirmation was procured by fraud as shown in an adversary proceeding commenced within 180 days of the entry of the plan confirmation order. 11 U.S.C. 1144; see also, 2 March, Ahart and Shapiro, Rutter Group California Practice Guide: Bankruptcy, paragraphs 11:2305-11:2315 at 11-278 - 11-279 (2017). The statute cited by movant, 11 U.S.C. 349, does not support its position since the statutory language does not revoke the plan. Id.

The parties are still bound by the plan, even if the Chapter 11 case is dismissed, since the plan has res judicata effect and the court lacks authority to vacate plan provisions which modify or cram down movant's lien. See 2 March, Ahart and Shapiro, Rutter Group California Practice Guide: Bankruptcy, paragraphs 5:1962 at 5(II)-27 and 11:2294 at 11-278, citing cases. The plan would be still enforceable as a state law contract, and dismissal of the case would mean that the court would not have jurisdiction to enforce the contract and the parties would probably have to go to state court to enforce their rights under the plan contract. Thus, in light of the applicable law as discussed herein, perhaps movant may want to consider taking up the suggestion of counsel for debtor to meet and confer and "work it out." The court would consider a short stipulated continuance of trial for counsel to consider these points and/or discuss a consensual resolution of the matter.

Appearances are required on 3/1/18.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact regarding debtor's performance under the confirmed plan and creditor's standing to be resolved in an evidentiary

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, March 01, 2018

Hearing Room 1675

9:00 AM

CONT...

Brunelle Equities LLC

Chapter 11

hearing. Treat the hearing on 12/6/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/6/17, and the parties may not call their witnesses to testify on 12/6/17. The court estimates that the evidentiary hearing will take one day and will schedule it for either January or February 2018. If either party believes that there are no genuine issues of material fact and it is entitled to judgment as a matter of law, it may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/6/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Brunelle Equities LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, March 01, 2018

Hearing Room 1675

9:00 AM

2:10-60711 Brunelle Equities LLC

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 10/25/17, 11/29/17, 12/6/17

Docket 1

Tentative Ruling:

Revised tentative ruling as of 2/28/18. Off calendar. In light of the continuance of the hearing on creditor's motion to dismiss, the court on its own motion continues the status conference in this case to 4/12/18 at 9:00 a.m. No appearances are required on 3/1/18.

Prior tentative ruling as of 11/28/17. Off calendar. The court, after reviewing the case docket, on its own motion continues the status conference to be conducted with the hearing on creditor's motion to dismiss or convert on 12/6/17 at 11:00 a.m. No appearances are required on 11/29/17.

Prior tentative ruling as of 10/25/17. Off calendar. Continued by stipulation and order to 11/29/17 at 11:00 A.M. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. The court has reviewed debtor's status report filed on 2/23/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/10/17. Off calendar. Continued by stipulation and order to 3/1/17 at 11:00 a.m. No appearances are required on 1/11/17.

Prior tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, March 01, 2018

Hearing Room 1675

9:00 AM

CONT... Brunelle Equities LLC

Chapter 11

Prior tentative ruling as of 12/13/16. No tentative ruling on the merits, but debtor should address why a postconfirmation status report was not timely filed as ordered by the court on 10/18/16. Appearances are required on 12/14/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Brunelle Equities LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, March 02, 2018

Hearing Room 1675

9:00 AM

2:17-15007 Eugen Valentin Dietl

Chapter 11

#1.00 EVIDENTIARY HEARING RE: Debtor's objection to creditor claim of Law Offices of Marilyn Smith
fr. 12/13/17

Docket 140

***** VACATED *** REASON: Evidentiary hearing vacated and setting status conference for 4/24/18 at 1:30 p.m.-mb.**

Tentative Ruling:

Updated tentative ruling as of 2/26/18. Off calendar. By prior order, evidentiary hearing vacated and status conference set for 4/24/18 at 1:30 p.m. No appearances are required on 3/2/18.

Prior tentative ruling. Overrule debtor's objection to the claim of Law Offices of Marilyn Smith without prejudice because debtor did not include a copy of the proof of claim in the moving papers and list the number of the proof of claim as required by Local Bankruptcy Rule 3007-1(c)(2) and (a)(2), and because there is no proof of service of the objection (only the notice of objection). The court does not reach the merits of the objection or opposition to the objection until debtor remedies the procedural deficiencies of his objection. Appearances are required on 12/13/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Eugen Valentin Dietl

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

2:12-15811 People's Choice Home Loan, Inc.

Chapter 11

#1.00 Hearing re: Motion for relief from stay
(U.S. Bank National Association VS Debtor)

Docket 2962

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for relief under 11 U.S.C. 362(d)(2) because movant's equity analysis shows positive value for equity and this provision is not really applicable since movant apparently is successor-in-interest on note and trust deed to debtor. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

People's Choice Home Loan, Inc.

Represented By
Jeffrey W Dulberg
James KT Hunter
Jeremy V Richards
Robert M Saunders
Justin E Rawlins

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

CONT... People's Choice Home Loan, Inc.

Chapter 11

Eric E Sagerman
David L Wilson
Jason Harbour
Daniel I Barnes

Movant(s):

U.S. Bank National Association, as

Represented By
Todd S Garan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(JPMorgan Chase Bank, National Association VS Debtor)

Property re: 445 S. Mansfield Ave., Los Angeles, CA 90036

Docket 474

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny the request for extraordinary relief in paragraph 3 since the debtor is not the borrower under the relevant loan agreements. Deny requests for extraordinary relief in paragraphs 8, 10, 11 and 12 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(JPMorgan Chase Bank National Association VS Debtor)

Property re: 11039 Wrightwood Place, Los Angeles, CA 91604

Docket 469

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny requests for extraordinary relief in paragraphs 8, 10 and 11 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Movant(s):

JPMorgan Chase Bank, National

Represented By
Merdaud Jafarnia

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

CONT... Chul Hyun Gong

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Bayview Loan Servicing LLC VS Debtor)

Docket 472

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. No tentative ruling on request for relief under 11 U.S.C. 362(d)(4) because no service was made on the original borrower and this court generally requires service on the original borrower for due process concerns. In re Dorsey, 476 B.R. 261, 270 (Bankr. C.D. Cal. 2012). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Appearances are required on 3/6/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

2:17-20943 Fatima Huembes

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Capital One Auto Finance VS Debtor)

Docket 19

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Fatima Huembes

Represented By
Francis Guilardi

Movant(s):

Capital One Auto Finance, a

Represented By
Bret D. Allen

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

CONT... Fatima Huembes

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

2:17-23392 Rochelle Patricia Lieff

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Menorah Housing Foundation VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Rochelle Patricia Lieff

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

2:17-23513 Lympa Salvador

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(Honda Lease Trust VS Debtor)

Docket 20

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Lympa Salvador

Represented By
Nancy Hanna

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

2:17-25211 Brenda Kay Bailey

Chapter 7

#8.00 Cont'd hearing re: Motion for relief from stay
(Nationstar Mortgage LLC dba Mr. Cooper VS Debtor)
fr. 2/6/18

Docket 10

Tentative Ruling:

Updated tentative ruling as of 3/5/18. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Prior tentative ruling. Service on debtor pursuant to LBR 4001-1(c)(1)(C)(i) as indicated on the proof of service of the motion is deficient since the address listed for her is "34 Magnolia #12, Long Beach, CA 90802" and not "345 Magnolia #12, Long Beach, CA 90802" which is her address of record as reflected on the case docket. Movant should re-serve debtor, and the hearing should be continued for proper service. Appearances are required on 2/6/18.

Party Information

Debtor(s):

Brenda Kay Bailey

Represented By
Daniel King

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

CONT... Brenda Kay Bailey

Chapter 7

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

2:18-10824 Brett Clark

Chapter 7

#8.20 Cont'd hearing re: Motion for relief from stay
(Harold Herskowitz VS Debtor)
fr. 2/27/18

Docket 9

Tentative Ruling:

Updated tentative ruling as of 3/5/18. Local Bankruptcy Rules 4001-1(c)(1) (A) and 9013-1(d) require service of notice of hearing relating to a residential unlawful detainer stay relief motion on the debtor and debtor's attorney, if any, and the proof of service of the notice of continued hearing indicates only notice to debtor's attorney and not to debtor. Movant will have to give notice to debtor and debtor's attorney of a further continuance. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. It appears that movant has asked for a hearing on shortened notice under LBR 9075-1 without filing an application for hearing on shortened notice. Appearances are required on 2/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Brett Clark

Represented By
David H Chung

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

2:18-10302 Josefina Villanueva Maniago

Chapter 7

#8.30 Cont'd hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)
fr. 2/27/18

Docket 7

Tentative Ruling:

Updated tentative ruling as of 3/5/18. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Prior tentative ruling. Movant has not submitted admissible evidence of standing to seek stay relief since it is not clear what Exhibit B is since it is not an authenticated certificate of title from a governmental agency, such as DMV. Appearances are required on 2/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Josefina Villanueva Maniago

Represented By
David H Chung

Movant(s):

Toyota Motor Credit Corporation

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

10:30 AM

CONT... Josefina Villanueva Maniago

Austin P Nagel

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

1:30 PM

2:17-11431 Martin Pinon

Chapter 7

Adv#: 2:17-01264 Avery v. Pinon

#9.00 Cont'd status conference re: Complaint for: (1) avoidance of transfer; (2) authorization to sell real property in which co-owner holds interest pursuant to 11 U.S.C. §363(h); (3) recovery of property; (4) declaratory relief; and (5) disallowance of claim fr. 7/11/17, 8/15/17, 1/30/18

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on 2/22/18-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

Martin Pinon

Represented By
Raymond Perez

Defendant(s):

Crystal Jaimez Pinon

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David M Goodrich

Trustee(s):

Wesley H Avery (TR)

Represented By
David M Goodrich

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

1:30 PM

2:17-11797 Jay Yoon

Chapter 7

Adv#: 2:17-01281 Lavitex, Inc. v. Yoon

#10.00 Cont'd status conference re: Plaintiff's complaint to determine nondischargeability of debt and objections to discharge fr. 10/24/17, 11/28/17, 1/9/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed defendant's status report, but notes that plaintiff was not part of the status report. Defendant untimely served his answer, but default had not yet been entered. Plaintiff to address whether it objects to the filing of the answer and defendant defending in this matter since plaintiff indicated at the status conference on 7/25/17 that it intended to resubmit a request for entry of default. Appearances are required on 10/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. Appearances are required on 7/25/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Jay Yoon

Represented By
Young K Chang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

1:30 PM

CONT... Jay Yoon

Chapter 7

Defendant(s):

Jay Yoon

Pro Se

Plaintiff(s):

Lavitex, Inc.

Represented By
K Tom Kohan

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

2:30 PM

2:17-22722 Reyna Maria Taylor

Chapter 7

#11.00 Hearing re: Motion for order dismissing amended involuntary petition against Reyna Taylor under FRCP 12(b)(1) and 12(b)(6), or for abstention under 11 U.S.C. 305(a)

Docket 35

Tentative Ruling:

Grant motion of alleged debtor to dismiss because petitioning creditor has not met his burden of proving that no bona fide dispute exists as to the debt he claims is owed to him by debtor under 11 U.S.C. 303(b)(1). In re Vortex Fishing Systems, Inc., 277 F.3d 1057, 1064 (9th Cir. 2002). His evidence consists of copies of proof of payment of alleged obligations without substantiating that alleged debtor has a contractual or legal obligation to repay or reimburse him. There is no showing of proof of any obligation jointly owed by him or alleged debtor for which he allegedly advanced payment. There are only his requests for reimbursement, and nothing from parties to whom he and alleged debtor were allegedly obligated, including the County Tax Assessor, the secured lender or its servicer.

Moreover, petitioning creditor has not even made a prima facie showing that the alleged debtor is generally not paying her debts as they become due under 11 U.S.C. 303(h). A finding that a debtor is generally not paying its debts requires a more general showing of the debtor's financial condition and debt structure than merely establishing the existence of a few unpaid debts. In re Vortex Fishing Systems, Inc., 277 F.3d at 1072. Here, the petition only alleges that alleged debtor is delinquent in paying the property taxes for her residence, but an exhibit attached to the petition shows that alleged debtor is current on her property taxes, not to mention that this is a single previously unpaid debt and not any general showing of her financial condition and debt structure.

Appearances are required on 3//6/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

2:30 PM

CONT... Reyna Maria Taylor

Chapter 7

Debtor(s):

Reyna Maria Taylor

Represented By
Steven M Mayer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

2:30 PM

2:17-22722 Reyna Maria Taylor

Chapter 7

#12.00 Cont'd status conference re: Involuntary petition
fr. 11/28/17, 12/12/17, 2/13/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/5/18. See tentative ruling for matter number 11.

Prior tentative ruling as of 2/12/18. Off calendar. The court has reviewed the joint status report and also notes on the case docket that there is a hearing on the motion of the alleged debtor to dismiss petitioning creditor's amended involuntary petition on 3/6/18 at 2:30 p.m., which may have an impact on scheduling in this case. Therefore, the court on its own motion continues the status conference to 2/27/18 at 2:30 p.m. to be conducted with the hearing on the motion to dismiss the amended petition. No appearances are required on 2/13/18.

Revised tentative ruling as of 12/11/17. Off calendar. The court determines that oral argument on the motion to dismiss is not necessary, dispenses with it, takes the motion under submission, vacates the hearing and status conference, and is entering a decision and an order on the motion. No appearances are required on 12/12/17.

Prior tentative ruling. The court has reviewed the joint status report and on its own motion continues the status conference to 12/12/17 at 3:30 p.m. to be conducted with the hearing on alleged debtor's motion to dismiss. No appearances are required on 11/28/17.

Party Information

Debtor(s):

Reyna Maria Taylor

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#13.00 Cont'd hearing re: Motion of plan agent to dismiss second amended crossclaims filed by 400 S. La Brea, LLC against Sam Leslie, as trustee of the plan trust for Art & Architecture Books of The 21st Century, and against Art & Architecture Books of The 21st Century
fr. 11/28/17, 1/23/18

Docket 225

***** VACATED *** REASON: Cont'd from 3/6/18 to 3/7/18 at 11:30 a.m.
per order entered on 2/26/18-pj.**

Tentative Ruling:

Off calendar. Continued to 3/7/18 at 11:30 a.m. by prior order. No appearances are required on 3/6/18.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

400 S La Brea, LLC a California

Represented By
Michael W Vivoli
Ashley M McDow
Michael T Delaney

ACE MUSEUM, a California

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Douglas Christmas

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Jennifer Kellen

Represented By
Jerome Bennett Friedman

Plaintiff(s):

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#14.00 Cont'd hearing re: Motion to compel production of documents by Fortuna Asset Management
fr. 11/14/17, 11/28/17, 1/23/18

Docket 218

***** VACATED *** REASON: Cont'd from 3/6/18 to 3/7/18 at 11:30 a.m.
per order entered on 2/26/18-pj.**

Tentative Ruling:

Updated tentative ruling as of 3/5/18. Off calendar. Continued to 3/7/18 at 11:30 a.m. by prior order. No appearances are required on 3/6/18.

Prior tentative ruling as of 11/27/17. Appearances are required on 11/28/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Jennifer Kellen

Represented By
Jerome Bennett Friedman

400 S La Brea, LLC a California

Represented By
Kenderton S Lynch
Michael W Vivoli
Ashley M McDow
Michael T Delaney

ACE MUSEUM, a California

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Alan W Forsley

Ace Gallery New York, Inc., a

Represented By
Alan W Forsley

Douglas Christmas

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Plaintiff(s):

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#15.00 Cont'd hearing re: Motion of plan agent for preliminary injunction pursuant to Fed. R. Civ. P. 65 and Fed. R. Bankr. P. 7065 against defendant 400 S. La Brea, LLC fr. 11/14/17, 11/28/17, 1/23/18

Docket 215

***** VACATED *** REASON: Cont'd from 3/6/18 to 3/7/18 at 11:30 a.m. per order entered on 2/26/18-pj.**

Tentative Ruling:

Updated tentative ruling as of 3/5/18. Off calendar. Continued to 3/7/18 at 11:30 a.m. by prior order. No appearances are required on 3/6/18.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17 to discuss scheduling of the evidentiary hearing on the motion, but counsel may appear by telephone.

Prior tentative ruling. The court intends to set an evidentiary hearing on plaintiff's motion for preliminary injunction and will treat the hearing as a status conference to discuss scheduling. As the party seeking preliminary injunctive relief, plaintiff has the burden of persuasion for such relief, and "[b]ecause a preliminary injunction is an extraordinary remedy, courts require the movant to carry its burden of persuasion by a " 'clear showing.'" 3 O'Connell and Stevenson, *Rutter Group Practice Guide: Federal Civil Procedure Before Trial*, ¶¶ 13:159 and 13:159.1 at 13-87 (Ninth Circuit and California edition 2017), citing, *West Point-Pepperill, Inc. v. Donovan*, 689 F.2d 950, 956 (11th Cir. 1982); *Mazurek v. Armstrong*, 520 U.S. 968, 972 (1997); and *Towery v. Brewer*, 672 F.3d 650, 657 (9th Cir. 2012). The court is of the opinion that it should conduct an evidentiary hearing and take live testimony in this case because "[i]t may be an abuse of discretion to refuse live testimony where facts are bitterly contested and credibility determinations must be made to decide whether injunctive relief should issue." 3 O'Connell and Stevenson, *Rutter Group Practice Guide: Federal Civil Procedure Before Trial*, ¶ 13:163 at 13-87 – 13-88, citing, *McDonald's*

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Corp. v. Robertson, 147 F.3d 1301, 1312 (11th Cir. 1998); *Charette v. Town of Oyster Bay*, 159 F.3d 749, 755 (2nd Cir. 1998); *Cobell v. Norton*, 391 F.3d 251, 261 (D.C. Cir. 2004)("circumstances and interests at stake" determine whether abbreviated or more extensive evidentiary hearing required). The amounts at issue (approximately \$4.9 million in unauthorized payments of debtor's funds claimed by plaintiff to have been made to defendant 400 S. LaBrea, LLC), the severity of the restrictions on alienation of the subject property and use of revenue derived therefrom proposed in plaintiff's motion and the factual allegations of the parties are bitterly contested all indicate "circumstances and interests at stake" that the court should conduct an evidentiary hearing on the motion. *Id.*; see also, 3 O'Connell and Stevenson, *Rutter Group Practice Guide: Federal Civil Procedure Before Trial*, ¶ 13:163.1 at 13-88, citing *inter alia*, *Aguirre v. Chula Vista Sanitary Service & Sani-Tainer, Inc.*, 542 F.2d 779, 781 (9th Cir. 1976).

The factual and legal issues contested on the motion center on the applicability of the Ninth Circuit's recent decision and opinions in *Matter of Walldesign, Inc.*, 872 F.3d 954, 963 (9th Cir. 2017) regarding the reiteration of the adoption of the so-called "dominion" test to determine whether a transferee is an "initial" or "intermediate or mediate" transferee under 11 U.S.C. § 550(a)(1) or (2). As the majority stated in *Walldesign*, "[u]nder the dominion test, "a transferee is one who ... has dominion over the money or other asset,"—in other words, one with "the right to put the money to one's own purposes." 872 F.3d at 963, citing, *In re Mortgage Store, Inc.*, 773 F.3d 990, 995 (9th Cir. 2014), quoting, *In re Incomnet, Inc.*, 463 F.3d 1064, 1070 (9th Cir. 2006). The *Walldesign* majority further stated: "The 'key[s]' to this test are "'whether the recipient of funds has legal title to them' and whether the recipient has 'the ability to use [the funds] as he sees fit.'" *Id.*, quoting, *In re Incomnet, Inc.*, 463 F.3d at 1071. The majority further stated: "We further explained that, "an individual will have dominion over a transfer if, for example, he is 'free to invest the whole [amount] in lottery tickets or uranium stocks'" and "The first party to establish dominion over the funds after they leave the transferor is the initial transferee; other transferees are subsequent transferees." *Id.*,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

quoting, In re Bonded Financial Services, Inc. v. European American Bank, 838 F.2d 890, 894 (7th Cir. 1988) (citations omitted). The parties dispute whether the evidence offered by plaintiff "clearly shows" that defendant 400 S. LaBrea, LLC is the initial transferee of the funds of debtor paid on behalf of defendant Ace Museum as rent (i.e., whether the funds transferred by debtor to Ace Museum through loans or otherwise gave Ace Museum dominion over the funds, and whether such loan is now cancelled through a settlement, either of these circumstances would show that Ace Museum was the initial transferee and 400 S. LaBrea, LLC as the mediate or intermediate transferee, and whether as a mediate or intermediate transferee, 400 S. LaBrea, LLC, received the transfers in good faith and for value).

Moreover, the parties dispute whether the evidence "clearly shows" whether "it is fair to view [400 LaBrea, LLC] as the initial transferee[] since [it] 'receive[d] funds directly from [the] debtor, and thus, [its] 'capacity [and burden] to monitor . . . [were] at [their] greatest.'" *In re Walldesign, Inc.*, 872 F.3d at 968, *quoting, In re Video Depot, Ltd.*, 127 F.3d 1195, 1199 (9th Cir. 1997). This passage from the majority opinion in *Walldesign* suggests that whether a transferee had "indications" of irregularities in the subject transfers is relevant to the inquiry of whether a transferee is "initial" or "intermediate." The parties dispute whether defendant 400 S. LaBrea, LLC knew or had reason to know that the transfers were improper transfers from the debtor, thus indicating that an evidentiary hearing is needed to determine whether plaintiff has met his burden of persuasion clearly showing entitlement to relief.

An evidentiary hearing is also needed to determine the degree of irreparable harm to plaintiff and the prejudice to other parties, including 400 S. LaBrea, LLC, in that there are wide disparities in the positions of the parties as to the degree of harm which would be suffered if relief were or were not granted, and how the party adversely affected by the granting or denial of relief would be protected, such as a bond if relief were granted to protect 400 S. LaBrea, LLC, which asserts the need for a \$4.8 million bond from plaintiff to protect it from potential damages from the relief sought.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Appearances are required on 11/14/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the	Represented By Thomas M Geher David W. Meadows Jerome S Cohen Carolyn A Dye
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Defendant(s):

Ace Gallery New York Corporation,	Represented By Alan W Forsley
Shirley Holst	Represented By Susan I Montgomery
Douglas Christmas	Represented By Alan W Forsley
Ace Gallery New York, Inc., a	Represented By Alan W Forsley
ACE MUSEUM, a California	Represented By Alan W Forsley
400 S La Brea, LLC a California	Represented By Kenderton S Lynch Michael W Vivoli Ashley M McDow Michael T Delaney
Jennifer Kellen	Represented By Jerome Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF	Represented By
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11
Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#16.00 Cont'd hearing re: Plaintiff, Sam Leslie, motion for partial summary judgment against Ace Museum
fr. 11/7/17, 11/28/17, 1/23/18

Docket 185

***** VACATED *** REASON: Cont'd from 3/6/18 to 3/7/18 at 11:30 a.m.
per order entered on 2/26/18-pj.**

Tentative Ruling:

Updated tentative ruling as of 3/5/18. Off calendar. Continued to 3/7/18 at 11:30 a.m. by prior order. No appearances are required on 3/6/18.

Prior tentative ruling. Deny plaintiff's motion for partial summary judgment because there are genuine issues of material fact for trial raised by evidence before the court on the motion, i.e., defendants raise material issues of fact regarding the effect of the stipulation and term sheet between debtor, the committee, defendants Ace Museum and Douglas Christmas, approved by order of the court in one of the consolidated adversary proceedings, for which there are reasonable, but conflicting, inferences on how to construe these documents as to whether the museum's loan by debtor was satisfied pursuant to the stipulation, term sheet and performance thereon. The court determines that it is not appropriate for it to resolve these conflicting inferences by granting plaintiff declaratory relief to vacate the stipulation and order thereon based on its reply or by the court sua sponte. Although the court could conceivably grant such relief for relief from judgment or order, the court strongly believes that such relief should be considered through the adversary process where all interested parties may respond and be heard, and to this end, if plaintiff seeks such relief, it may make an appropriate motion with notice and opportunity to be heard by the affected parties. The court need not reach the merits of defendants' objections to the Declaration of Timothy

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Kincaid, though there appears to be serious foundational problems with some of the assertions in the declaration, which may or may not be remedied by amendment and supplementation. Appearances are required on 11/7/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the	Represented By Thomas M Geher David W. Meadows Jerome S Cohen Carolyn A Dye
-----------------------------------	---

Defendant(s):

Ace Gallery New York Corporation,	Represented By Alan W Forsley
Shirley Holst	Represented By Susan I Montgomery
Douglas Christmas	Represented By Alan W Forsley
Ace Gallery New York, Inc., a	Represented By Alan W Forsley
ACE MUSEUM, a California	Represented By Alan W Forsley
400 S La Brea, LLC a California	Represented By Kenderton S Lynch Michael W Vivoli
Jennifer Kellen	Represented By Jerome Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF	Represented By
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11
Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#17.00 Cont'd status conference re: Complaint for: (1) Avoidance, recovery, and preservation of fraudulent transfers; (2) Avoidance, recovery, and preservation of preferential transfers; (3) Turnover of property; (4) Avoidance and recovery of transfers; (5) Avoidance and recovery of post-petition transfers to defendant ACE Gallery New York Corporation; and (6) Disallowance of claims
fr. 11/14/17, 1/30/18, 1/23/18

Docket 1

***** VACATED *** REASON: Cont'd from 3/6/18 to 3/7/18 at 11:30 a.m.
per order entered on 2/26/18-pj.**

Tentative Ruling:

Updated tentative ruling as of 3/5/18. Off calendar. Continued to 3/7/18 at 11:30 a.m. by prior order. No appearances are required on 3/6/18.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

No updated tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/13/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings in light of the anticipated motion to consolidate related actions, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 06, 2018

Hearing Room 1675

3:00 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Prior tentative ruling as of 6/20/16. No tentative ruling on the merits.
Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/25/16. Off calendar. The court has reviewed plan agent's unilateral status report stating that the deadline for defendant's response was extended to 4/29/16 and that the matter is not yet at issue, and the court on its own motion continues the status conference to 6/21/16 at 1:30 p.m. pending defendant's response to the complaint. No appearances are required on 4/26/16.

No tentative ruling as of 2/22/16. Appearances are required on 2/23/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Ron Bender
Beth Ann R Young
Krikor J Meshefejian
Kurt Ramlo
David W. Meadows

Defendant(s):

Ace Gallery New York Corporation,

Pro Se

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

9:00 AM

2:13-17409 Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

#1.00 Cont'd hearing re: Renewed motion of Foremost Groups, Inc. to amend the judgment of the bankruptcy court to add Tangshan Ayers Bath Equipment Co. Ltd. as judgment debtor
fr. 1/24/18, 2/7/18

Docket 118

***** VACATED *** REASON: Hearing is vacated and a status conference is set for 4/10/18 at 2:00 p.m. per order entered on 3/5/18-mb.**

Tentative Ruling:

Off calendar. The court has issued a written order determining that oral argument on the motion is unnecessary, dispensing with it, vacating the hearing and ruling on the papers that the motion is a contested matter presenting disputed and material factual issues requiring an evidentiary hearing and setting a status conference for 4/10/18 at 2:00 p.m. No appearances are required on 3/7/18.

Party Information

Debtor(s):

Ayers Bath (U.S.A.), Co.,Ltd.

Represented By
Jeffrey S Renzi
Ryan S Fife

Trustee(s):

Alfred H Siegel (TR)

Represented By
Anthony A Friedman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#2.00 Cont'd pretrial confrence re: Motion by creditor Cindy Magleby for entry of order dismissing debtor's chapter 11 case fr. 9/27/17, 11/29/17, 2/7/18

Docket 115

Tentative Ruling:

Updated tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because there are disputed factual issues that requires an evidentiary hearing. Parties should be prepared to discuss their discovery needs and scheduling of pretrial and trial proceedings. Appearances are required on 11/16/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#3.00 Cont'd hearing re: Debtor's motion to disallow claims of Cindy S. Magleby
(claim numbers 13, 7, and 12)
fr. 12/13/17, 2/7/18

Docket 390

Tentative Ruling:

Revised tentative ruling as of 3/6/18. The court notes that claimant has a pending motion for abstention on her claims set for hearing on 3/21/18. If the court abstains, this itself will not postpone plan confirmation proceedings because the parties may request the court to estimate the claims for voting on plan confirmation. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. If claimant believes that the court should permissively abstain from hearing this contested matter, then she should bring a proper motion for abstention rather than raising the request in her opposition to the objection. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). However, it seems to the court that it could properly hear the objection to claim as a core proceeding under 28 U.S.C. 157(b)(2)(B) and not abstain under *In re Conejo Enterprises, Inc.*, 96 F.3d 346 (9th Cir. 1996). Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#4.00 Cont'd hearing re: Renewed motion for order disallowing claims of Fried & Goldman, APLC (claim no. 15) and Taylor and Liberman (claim no. 16) fr. 12/13/17, 2/7/18

Docket 394

Tentative Ruling:

Updated tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#5.00 Cont'd hearing re: Motion to disallow claims of Banc of California, N.A.
fr. 12/13/17, 2/7/18

Docket 372

Tentative Ruling:

Updated tentative ruling as of 3/5/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#6.00 Cont'd hearing re: Disclosure statement
fr. 9/27/17, 11/29/17, 2/7/18

Docket 174

Tentative Ruling:

Revised tentative ruling as of 3/6/18. The court has reviewed debtor's status update and request to continue the status conference. No tentative ruling on the merits. Appearances are required on 3/7/18 to discuss scheduling and the the impact of treatment on creditor Cindy Magleby's claims for plan voting and abstention among other things, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. The court notes that debtor filed a second amended disclosure statement on 1/30/18, 8 days before the further hearing on 2/7/18. Creditor Banc of California filed a response on 1/31/18 objecting to debtor's noticing approval of the amended disclosure statement for the hearing on 2/7/18, citing the court's oral ruling that creditors should be given 3 weeks notice of hearing on an amended disclosure statement. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, including adequate time for creditors to respond to debtor's second amended disclosure statement and a scheduling of a further hearing on debtor's second amended disclosure statement to allow for review and comment by creditors and interested parties, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. The court has reviewed debtor's status report. Appearances are required on 11/29/17 to discuss scheduling of further proceedings, including filing date for debtor's second amended disclosure statement, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. Debtor in his status report filed on 2/22/17 indicated that he and his counsel are working on revising and amending the original disclosure statement to include a revised and updated liquidation analysis and taking into account resolutions of claims of creditors, including First Republic Bank (however, the court notes that it disapproved without prejudice the stipulation resolving claim of First Republic Bank in light of objection of creditor Cindy Magelby since it appears that debtor will need to bring a FRBP 9019 motion). Appearances are required on 3/1/17 regarding scheduling of further proceedings for an amended and revised disclosure statement, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

#7.00 Cont'd status conference re: Complaint to recover property of the estate and for turnover of property of the estate pursuant to section 542(a) of the United States Bankruptcy Code, 11 U.S.C. §542(a)
fr. 9/27/17, 11/29/17, 2/7/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/5/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits.
Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits.
Appearances are required on 1/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits.
Appearances are required on 11/16/16, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

CONT... **Curtis C. Magleby**
telephone.

Chapter 11

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Cindy Magleby

Pro Se

Plaintiff(s):

Curtis C. Magleby

Represented By
Alan F Broidy

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01331 Magleby v. Magleby

#8.00 Cont'd status conference re: Complaint objecting to discharge of debtor pursuant to 11 U.S.C. §§523(a)(5), (a)(15) and §727 fr. 9/27/17, 11/29/17, 2/7/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

No tentative ruling as of 11/14/16. Appearances are required on 11/16/16, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Curtis C. Magleby

Pro Se

Plaintiff(s):

Cindy Magleby

Represented By
Michael J Conway

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#9.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/24/18

Docket 1

Tentative Ruling:

Revised tentative ruling as of 3/6/18. The court has reviewed debtor's status report suggesting a continued status conference in about 60 days. No tentative ruling on the merits. Appearances are required on 3/7/18 to hear from other parties on status, including compliance with United States Trustee requirements, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#10.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

No tentative ruling as of 3/5/18. Appearances are required on 3/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Fox Property Holdings, LLC

Represented By
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

2:18-10551 Nina Mosby

Chapter 11

#11.00 Hearing re: Motion in individual chapter 11 case for order authorizing use of cash collateral [11 U.S.C. §363]

Docket 17

Tentative Ruling:

Updated tentative ruling as of 3/6/18. As to the 149 W. Hillcrest Blvd., Inglewood, CA property, the motion is resolved by stipulation as between Debtor and Creditor Wells Fargo Bank and should otherwise be granted for the reasons stated in the moving papers and for lack of timely opposition.

As to the 4935 Indian Wood Road \$#443, Culver City, CA property, Debtor needs to address the opposition of Creditor Bank of America that its cash collateral should be segregated, the operation of the property generates a negative budget with no explanation of how the shortfall will be covered, the proposed budget for use of cash collateral of this Creditor has items that are not sufficiently justified, such as property management expenses and "other" expenses. No tentative ruling otherwise on the motion.

Appearances are required on 3/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Nina Mosby

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:00 AM

2:18-10551 Nina Mosby

Chapter 11

#12.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/5/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Nina Mosby

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11
Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#12.10 Cont'd hearing re: Motion of plan agent to dismiss second amended crossclaims filed by 400 S. La Brea, LLC against Sam Leslie, as trustee of the plan trust for Art & Architecture Books of The 21st Century, and against Art & Architecture Books of The 21st Century
fr. 11/28/17, 1/23/18, 3/6/18

Docket 225

Tentative Ruling:

Grant plaintiff's motion to dismiss the second amended cross-complaint as to plaintiff and Debtor's estate which is not moot due to service of third amended cross-complaint because the second amended cross-complaint is not as of right because it was filed late

A party may amend its pleading once as a matter of course within: (A) 21 days after serving it, or (B) if the pleading is one which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier. FRCP 15(a)(1). In all other cases, a party may amend its pleadings only with the opposing party's written consent or the court's leave. FRCP 15(a)(2). Rule 15 does not prescribe any particular sequence for the exercise of its provisions. *Ramirez v. County of San Bernardino*, 806 F.3d 1002, 1007 (9th Cir. 2015).

Per the court's order entered on 9/20/17 (dkt #184), 400 S. La Brea was required to file its second amended cross-complaint by 10/13/17. 400 S. La Brea filed its 2nd amended cross-complaint one day late, on 10/14/17. Procedurally, the court can dismiss the late filed second amended Cross-complaint as untimely because 400 S. La Brea did not seek leave to amend from this court or Plan Agent's written consent, as required by Rule 15(a)(2). Moreover, the second amended cross-complaint does not qualify as an amendment as a matter of course because it was not timely filed. The

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT... **Art and Architecture Books of the 21st Century** Chapter 11

second amended cross-complaint was filed on 10/14/17. The first amended cross-complaint was filed and served on 7/6/17. Therefore, the second amended cross-complaint was not filed within 21 days after serving the first amended cross-complaint. See FRCP 15(a)(1)(A). The motion to dismiss the first amended cross-complaint was served on 7/17/17. Therefore, the 10/14/17 filing date is not within 21 days of a responsive pleading or a 12(b) motion. See FRCP 15(a)(1)(B).

3rd Amended Cross-Complaint

400 S. La Brea did not file an opposition to plaintiff's motion to dismiss the third amended cross-complaint, instead it filed a 3rd Amended Cross-complaint and a Response. 400 S. La Brea argues it was allowed to amend the cross-complaint once as a matter of course per FRCP 15(a)(1). 400 S. La Brea's 3rd amended cross-complaint could have met the amendment requirements of FRCP 15(a)(1), assuming the second amended cross-complaint was properly filed, but it were not. Therefore, the court can deem the third amended cross-complaint a nullity.

Grant motion to dismiss second amended cross-complaint under FRCP 12(b)(6)

Breach of contract (1st Crossclaim)

400 S. La Brea seeks breach of contract based on the lease it entered with Ace Museum (and Douglas Christmas). There are no allegations in the crossclaims that 400 S. La Brea entered a lease with Plan Agent or Debtor. In fact, Plan Agent and Debtor were never parties to the lease. A nonparty to a contract cannot be held liable for breach of contract. *Tri-Continent Int'l Corp. v. Paris Savings & Loan Ass'n*, 12 Cal.App. 4th 1354, 1359 (1993). There was no express written assumption of the lease, as required by Section 12.2(a) of the lease. No express written assumption was alleged by 400 S. La Brea.

Declaratory Relief (2nd Crossclaim)/Piercing the Corporate Veil and Alter Ego (3rd Crossclaim)

The third amended cross-complaint fails to allege any specific facts to support its declaratory relief and alter ego claims against Debtor and Debtor's

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT... **Art and Architecture Books of the 21st Century** Chapter 11

estate. Debtor's bad acts may not be imputed to the professional (acting as a representative of Debtor) and therefore may not be imputed against Debtor's bankruptcy estate, as a defense or counterclaim to an avoidance action. *McNamara v. PFS (In re Personal & Bus. Ins. Agency)*, 334 F.3d 239, 246-247 (3rd Cir. 2003). In any event, it appears to the court that these claims are really defenses to plaintiff's claims rather affirmative claims in themselves.

Fraud and Intentional Misrepresentation (4th Crossclaim)/Negligent Misrepresentation (5th Crossclaim)

400 S. La Brea's misrepresentation claims do not mention any specific damages that it suffered. In order to recover for any tort, the plaintiff must plead and prove the "detriment proximately caused" by the defendant's tortious conduct. *Leegin Creative Leather Products, Inc. v. Diaz*, 131 Cal.App.4th 1517, 1525 (2005) citing California Civil Code §3333. In the instant case, 400 S. La Brea has not alleged facts to support specific tortious conduct by Plan Agent or Debtor.

Unjust enrichment (6th Crossclaim)

There is no unjust enrichment when federal bankruptcy law provides for the recovery and distribution of funds to an estate's creditors. *Ades & Berg Group Investors v. Breeden (In re Ades & Berg Group Inverstors)*, 550 F.3d 240, 245 (2nd Cir. 2008). See also *Siegel v. FDIC (In re IndyMac Bancorp Inc.)*, 2012 Bankr.LEXIS 1462, *86-87 (March 29, 2012) (Judge Bluebond) (application of bankruptcy law does not create an unjust enrichment at the expense of one party).

Breach of Covenant of Good Faith and Fair Dealing (7th Crossclaim)

400 S. La Brea alleges Debtor had a duty of good faith and fair dealing under the lease. Again, Debtor was not a party to the lease with 400 S. La Brea. Under California law, only the parties who owe a duty of good faith and fair dealing under a contract or lease are parties to that contract or lease. *Minnesota Mut. Life Ins. Co. v. Ensley*, 174 F.3d 977, 981 (9th Cir. 1999).

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT...

**Art and Architecture Books of the 21st Century
Trespass (8th Crossclaim)**

Chapter 11

There was no provision in the lease that prevented Ace Museum from using part of the premises to store property belonging to a third party (Debtor). Where the lease provides the lessee with quiet enjoyment of the premises, consent is the lessee's to give, not the lessor's. *Lucky Auto Supply v. Turner*, 244 Cal.App.2d 872, 878 (1996) (sustaining lessee's trespass claim against lessor where lessee had not given consent for lessor to enter the land).

Recoupment (9th Crossclaim)

The Plan Agent's claims against 400 S. La Brea are based on the unauthorized diversion of property of the estate. La Brea seeks recoupment based on the lease, to which Debtor and Plan Agent are not parties. In order to assert a claim for recoupment, the parties must have "mutual claims" arising from the same transactions. *Aetna U.S. Healthcare, Inc. v. Madigan (In re Madigan)*, 270 B.R. 749, 754 (9th Cir. BAP 2001). Only Ace Museum was obligated to pay the rent. A claim for recoupment cannot be based on an alleged liability of a third party. *Barber v. Riverside Int'l Trucks, Inc. (In re Pearson Indus., Inc.)*, 142 B.R. 831, 849 (Bankr. C.D. Ill. 1992)("because the doctrine of recoupment must involve reciprocal claims, 'triangular' set-offs are precluded.").

Grant motion to dismiss second amended cross-complaint as to plaintiff and Debtor's estate without leave to amend since 400 S. LaBrea has had opportunities in three separate complaints to plead a cross-claim upon which relief can be granted as to these parties and has not been able to do so.

Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. Appearances are required on 11/28/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Douglas Christmas

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By
Alan W Forsley

ACE MUSEUM, a California

Represented By
Alan W Forsley

400 S La Brea, LLC a California

Represented By
Michael W Vivoli
Ashley M McDow
Michael T Delaney

Jennifer Kellen

Represented By
Jerome Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#12.20 Cont'd hearing re: Motion to compel production of documents by Fortuna Asset Management
fr. 11/14/17, 11/28/17, 1/23/18, 3/6/18

Docket 218

Tentative Ruling:

Updated tentative ruling as of 3/5/18. Grant plaintiff's amended motion to compel production of documents as amended in his reply at page 8. The court agrees with plaintiff that the motion is procedurally proper pursuant to FRBP 9016 and FRCP 45(d)(2) since respondent made an objection to the subpoena. In re Plise, 506 B.R. 870, 878-879 (9th Cir. BAP 2014). The court also agrees with plaintiff that enforcement of a subpoena does not require a "meet and confer" process. Local Bankruptcy Rules 7026-1(a), (b), (c)(1) and (5) and 9020-1 (prefiling discovery dispute conference required in disputes under FRBP 7026-7037 and 2004, but not 9016); see also, 2 O'Connell and Stevenson, Rutter Group Federal Procedure Before Trial, Ninth Circuit Edition, paragraph 11:2316.1 at 11-375 - 11-376 (2017). Respondent has not shown that production of documents, particularly in electronic form, would be burdensome, which it has already done to defendant 400 S. LaBrea, and thus, respondent can just make another copy of the files for plaintiff, and the court rejects respondent's objection on this ground. Respondent has not otherwise shown that the costs of compliance would necessitate cost shifting on this record. Respondent must produce all nonprivileged documents responsive to the subpoena and must file a privilege log as to each and every document asserted to be privileged. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. Appearances are required on 11/28/17, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Douglas Christmas

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By
Alan W Forsley

ACE MUSEUM, a California

Represented By
Alan W Forsley

400 S La Brea, LLC a California

Represented By
Kenderton S Lynch
Michael W Vivoli
Ashley M McDow
Michael T Delaney

Jennifer Kellen

Represented By
Jerome Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11
Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#12.30 Cont'd hearing re: Motion of plan agent for preliminary injunction pursuant to Fed. R. Civ. P. 65 and Fed. R. Bankr. P. 7065 against defendant 400 S. La Brea, LLC fr. 11/14/17, 11/28/17, 1/23/18, 3/6/18

Docket 215

Tentative Ruling:

No updated tentative ruling as of 3/5/18. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17 to discuss scheduling of the evidentiary hearing on the motion, but counsel may appear by telephone.

Prior tentative ruling. The court intends to set an evidentiary hearing on plaintiff's motion for preliminary injunction and will treat the hearing as a status conference to discuss scheduling. As the party seeking preliminary injunctive relief, plaintiff has the burden of persuasion for such relief, and "[b]ecause a preliminary injunction is an extraordinary remedy, courts require the movant to carry its burden of persuasion by a " 'clear showing.'" 3 O'Connell and Stevenson, *Rutter Group Practice Guide: Federal Civil Procedure Before Trial*, ¶¶ 13:159 and 13:159.1 at 13-87 (Ninth Circuit and California edition 2017), citing, *West Point-Pepperill, Inc. v. Donovan*, 689 F.2d 950, 956 (11th Cir. 1982); *Mazurek v. Armstrong*, 520 U.S. 968, 972 (1997); and *Towery v. Brewer*, 672 F.3d 650, 657 (9th Cir. 2012). The court is of the opinion that it should conduct an evidentiary hearing and take live testimony in this case because "[i]t may be an abuse of discretion to refuse live testimony where facts are bitterly contested and credibility determinations must be made to decide whether injunctive relief should issue." 3 O'Connell and Stevenson, *Rutter Group Practice Guide: Federal Civil Procedure Before Trial*, ¶ 13:163 at 13-87 – 13-88, citing, *McDonald's Corp. v. Robertson*, 147 F.3d 1301, 1312 (11th Cir. 1998); *Charette v.*

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT... **Art and Architecture Books of the 21st Century** **Chapter 11**

Town of Oyster Bay, 159 F.3d 749, 755 (2nd Cir. 1998); *Cobell v. Norton*, 391 F.3d 251, 261 (D.C. Cir. 2004)("circumstances and interests at stake" determine whether abbreviated or more extensive evidentiary hearing required). The amounts at issue (approximately \$4.9 million in unauthorized payments of debtor's funds claimed by plaintiff to have been made to defendant 400 S. LaBrea, LLC), the severity of the restrictions on alienation of the subject property and use of revenue derived therefrom proposed in plaintiff's motion and the factual allegations of the parties are bitterly contested all indicate "circumstances and interests at stake" that the court should conduct an evidentiary hearing on the motion. *Id.*; see also, 3 O'Connell and Stevenson, *Rutter Group Practice Guide: Federal Civil Procedure Before Trial*, ¶ 13:163.1 at 13-88, citing *inter alia*, *Aguirre v. Chula Vista Sanitary Service & Sani-Tainer, Inc.*, 542 F.2d 779, 781 (9th Cir. 1976).

The factual and legal issues contested on the motion center on the applicability of the Ninth Circuit's recent decision and opinions in *Matter of Walldesign, Inc.*, 872 F.3d 954, 963 (9th Cir. 2017) regarding the reiteration of the adoption of the so-called "dominion" test to determine whether a transferee is an "initial" or "intermediate or mediate" transferee under 11 U.S.C. § 550(a)(1) or (2). As the majority stated in *Walldesign*, "[u]nder the dominion test, "a transferee is one who ... has dominion over the money or other asset,"—in other words, one with "the right to put the money to one's own purposes." 872 F.3d at 963, citing, *In re Mortgage Store, Inc.*, 773 F.3d 990, 995 (9th Cir. 2014), quoting, *In re Incomnet, Inc.*, 463 F.3d 1064, 1070 (9th Cir. 2006). The *Walldesign* majority further stated: "The 'key[s]' to this test are "'whether the recipient of funds has legal title to them' and whether the recipient has 'the ability to use [the funds] as he sees fit.'" *Id.*, quoting, *In re Incomnet, Inc.*, 463 F.3d at 1071. The majority further stated: "We further explained that, "an individual will have dominion over a transfer if, for example, he is 'free to invest the whole [amount] in lottery tickets or uranium stocks'" and "The first party to establish dominion over the funds after they leave the transferor is the initial transferee; other transferees are subsequent transferees." *Id.*, quoting, *In re Bonded Financial Services, Inc. v. European American Bank*,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT... **Art and Architecture Books of the 21st Century** **Chapter 11**

838 F.2d 890, 894 (7th Cir. 1988) (citations omitted). The parties dispute whether the evidence offered by plaintiff "clearly shows" that defendant 400 S. LaBrea, LLC is the initial transferee of the funds of debtor paid on behalf of defendant Ace Museum as rent (i.e., whether the funds transferred by debtor to Ace Museum through loans or otherwise gave Ace Museum dominion over the funds, and whether such loan is now cancelled through a settlement, either of these circumstances would show that Ace Museum was the initial transferee and 400 S. LaBrea, LLC as the mediate or intermediate transferee, and whether as a mediate or intermediate transferee, 400 S. LaBrea, LLC, received the transfers in good faith and for value).

Moreover, the parties dispute whether the evidence "clearly shows" whether "it is fair to view [400 LaBrea, LLC] as the initial transferee[] since [it] 'receive[d] funds directly from [the] debtor, and thus, [its] 'capacity [and burden] to monitor . . . [were] at [their] greatest." *In re Walldesign, Inc.*, 872 F.3d at 968, quoting, *In re Video Depot, Ltd.*, 127 F.3d 1195, 1199 (9th Cir. 1997). This passage from the majority opinion in *Walldesign* suggests that whether a transferee had "indications" of irregularities in the subject transfers is relevant to the inquiry of whether a transferee is "initial" or "intermediate." The parties dispute whether defendant 400 S. LaBrea, LLC knew or had reason to know that the transfers were improper transfers from the debtor, thus indicating that an evidentiary hearing is needed to determine whether plaintiff has met his burden of persuasion clearly showing entitlement to relief.

An evidentiary hearing is also needed to determine the degree of irreparable harm to plaintiff and the prejudice to other parties, including 400 S. LaBrea, LLC, in that there are wide disparities in the positions of the parties as to the degree of harm which would be suffered if relief were or were not granted, and how the party adversely affected by the granting or denial of relief would be protected, such as a bond if relief were granted to protect 400 S. LaBrea, LLC, which asserts the need for a \$4.8 million bond from plaintiff to protect it from potential damages from the relief sought.

Appearances are required on 11/14/17, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT... Art and Architecture Books of the 21st Century
telephone.

Chapter 11

Party Information

Debtor(s):

Art and Architecture Books of the	Represented By Thomas M Geher David W. Meadows Jerome S Cohen Carolyn A Dye
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Defendant(s):

Ace Gallery New York Corporation,	Represented By Alan W Forsley
Shirley Holst	Represented By Susan I Montgomery
Douglas Christmas	Represented By Alan W Forsley
Ace Gallery New York, Inc., a	Represented By Alan W Forsley
ACE MUSEUM, a California	Represented By Alan W Forsley
400 S La Brea, LLC a California	Represented By Kenderton S Lynch Michael W Vivoli Ashley M McDow Michael T Delaney
Jennifer Kellen	Represented By Jerome Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF	Represented By Victor A Sahn
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#12.40 Cont'd hearing re: Plaintiff, Sam Leslie, motion for partial summary judgment against Ace Museum
fr. 11/7/17, 11/28/17, 1/23/18, 3/6/18

Docket 185

Tentative Ruling:

Revised tentative ruling as of 3/5/18. Deny plaintiff's motion for partial summary judgment in part and grant it in part as follows: as to plaintiff's request for summary judgment on its claims against defendant Ace Museum, the 30th, 31st, 32nd, 33rd and 34th claims for relief in the fourth amended complaint, because there are genuine issues of material fact for trial, and as to plaintiff's requests for summary adjudication of fact on these claims, deem as established facts for purposes of these claims (and not other claims and not as to parties other than plaintiff and Ace Museum) Uncontroverted Facts, Numbers 1-26, 28-30, 32, 33, 35-42. The court declines to grant the motion to deem as established facts, Numbers 43-91, due to foundational issues regarding the admissibility of testimony of Timothy Kincaid as identified in the evidentiary objections of defendant Ace Museum to the declaration of Timothy Kincaid and in the prior tentative ruling on this motion.

Although FRCP 56(g) refers to treating a fact not genuinely in dispute and treating that fact as "established in the case," the court declines to grant the motion to deem any established facts for the entire case as opposed to just the claims against defendant Ace Museum only in the 30th, 31st, 32nd, 33rd and 34th claims for relief because no notice was given to other parties that plaintiff sought to establish these facts for purposes of claims other than these and the evidence cited in plaintiff's statement of uncontroverted facts and conclusions of law does not establish these facts as to other parties and

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT... Art and Architecture Books of the 21st Century
other claims.

Chapter 11

Theoretically, the court could grant summary judgment for the nonmoving party if there are no factual issues, the opposing party is entitled to judgment as a matter of law and the moving party had notice and an adequate opportunity to address the issues. 2 O'Connell and Stevenson, Rutter Group Federal Civil Procedure Before Trial, California and Ninth Circuit Edition, paragraph 14:328 at 14-120 (2017), citing inter alia, FRCP 56(f) and Gospel Missions of America v. City of Los Angeles, 328 F.3d 548, 553 (9th Cir. 2003). However, it appears that there are genuine issues of material fact regarding the effect of the stipulation for settlement, whether it was obtained by fraud, and whether the reference to the promissory note was the original one, and that the court believes that the issues are best resolved at trial or defendant's own affirmative motion for summary judgment where the factual record can be better developed.

Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling. Deny plaintiff's motion for partial summary judgment because there are genuine issues of material fact for trial raised by evidence before the court on the motion, i.e., defendants raise material issues of fact regarding the effect of the stipulation and term sheet between debtor, the committee, defendants Ace Museum and Douglas Christmas, approved by order of the court in one of the consolidated adversary proceedings, for which there are reasonable, but conflicting, inferences on how to construe these documents as to whether the museum's loan by debtor was satisfied pursuant to the stipulation, term sheet and performance thereon. The court determines that it is not appropriate for it to resolve these conflicting inferences by granting plaintiff declaratory relief to vacate the stipulation and order thereon based on its reply or by the court sua sponte. Although the court could conceivably grant such relief for relief from judgment or order, the court strongly believes that such relief should be considered through the adversary

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT... **Art and Architecture Books of the 21st Century** Chapter 11

process where all interested parties may respond and be heard, and to this end, if plaintiff seeks such relief, it may make an appropriate motion with notice and opportunity to be heard by the affected parties. The court need not reach the merits of defendants' objections to the Declaration of Timothy Kincaid, though there appears to be serious foundational problems with some of the assertions in the declaration, which may or may not be remedied by amendment and supplementation. Appearances are required on 11/7/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the	Represented By Thomas M Geher David W. Meadows Jerome S Cohen Carolyn A Dye
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Defendant(s):

Ace Gallery New York Corporation,	Represented By Alan W Forsley
Shirley Holst	Represented By Susan I Montgomery
Douglas Christmas	Represented By Alan W Forsley
Ace Gallery New York, Inc., a	Represented By Alan W Forsley
ACE MUSEUM, a California	Represented By Alan W Forsley
400 S La Brea, LLC a California	Represented By Kenderton S Lynch Michael W Vivoli

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Jennifer Kellen

Represented By
Jerome Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#12.50 Cont'd status conference re: Complaint for: (1) Avoidance, recovery, and preservation of fraudulent transfers; (2) Avoidance, recovery, and preservation of preferential transfers; (3) Turnover of property; (4) Avoidance and recovery of transfers; (5) Avoidance and recovery of post-petition transfers to defendant ACE Gallery New York Corporation; and (6) Disallowance of claims fr. 11/14/17, 1/30/18, 1/23/18, 3/6/18,

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/6/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

No updated tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/13/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings in light of the anticipated motion to consolidate related actions, but counsel may appear by telephone.

Prior tentative ruling as of 6/20/16. No tentative ruling on the merits. Appearances are required on 6/21/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

11:30 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Prior tentative ruling as of 4/25/16. Off calendar. The court has reviewed plan agent's unilateral status report stating that the deadline for defendant's response was extended to 4/29/16 and that the matter is not yet at issue, and the court on its own motion continues the status conference to 6/21/16 at 1:30 p.m. pending defendant's response to the complaint. No appearances are required on 4/26/16.

No tentative ruling as of 2/22/16. Appearances are required on 2/23/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Ron Bender
Beth Ann R Young
Krikor J Meshefejian
Kurt Ramlo
David W. Meadows

Defendant(s):

Ace Gallery New York Corporation,

Pro Se

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

1:30 PM

2:16-18600 Jens Larsen

Chapter 7

Adv#: 2:16-01446 Perske v. Larsen

#13.00 CONT'D TRIAL RE: Complaint for (1) determination of non-dischargeability of debt pursuant to 11 U.S.C. §523; and (2) denial of discharge pursuant to 11 U.S.C. §723 fr. 1/22/18, 1/26/18, 2/16/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/5/18. No tentative ruling will be issued for trial. Appearances are required on 3/7/18.

Prior tentative ruling as of 2/8/18. No tentative ruling will be issued for trial. Appearances are required on 2/16/18.

Prior tentative ruling as of 1/25/18. No tentative ruling will be issued for trial. The court has been advised that defendant is not available to appear for further examination on 1/26/18, so his further examination will be rescheduled. Appearances are required on 1/26/18 to discuss procedural matters and scheduling of further trial proceedings.

Prior tentative ruling as of 1/18/18. No tentative ruling will be issued for trial. Appearances are required at the rescheduled time of 10:00 a.m.

No updated tentative ruling as of 10/31/17. Appearances are required on 11/9/17.

Prior tentative ruling as of 1/9/17. The court has reviewed plaintiff's unilateral status report. No updated tentative ruling on the merits. Appearances are required on 1/10/17.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 12/6/16.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 07, 2018

Hearing Room 1675

1:30 PM

CONT... Jens Larsen

Chapter 7

Debtor(s):

Jens Larsen

Represented By
Steven L. Kimmel

Defendant(s):

Jens F Larsen

Pro Se

Plaintiff(s):

Jacquelynn Perske

Represented By
Darrel C Menthe

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, March 08, 2018

Hearing Room 1675

9:00 AM

2:16-16503 Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01388 Phelps v. Bishop

#1.00 Cont'd hearing re: Motion to strike pleadings
fr. 2/1/18

Docket 117

Tentative Ruling:

No updated tentative ruling as of 3/5/18. Appearances are required on 3/8/18.

No tentative ruling as of 1/24/18. Appearances are required on 2/1/18.

Party Information

Debtor(s):

Reggie Lyn Bishop Pro Se

Defendant(s):

Reggie Lyn Bishop Sr Pro Se

Plaintiff(s):

Willie Mae Phelps Represented By
Frances M Campbell

Trustee(s):

Timothy Yoo (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, March 08, 2018

Hearing Room 1675

9:00 AM

2:16-16503 Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01388 Phelps v. Bishop

#2.00 CONT'D TRIAL RE: Complaint for non-dischargeability of debt
fr. 8/29/17, 11/30/17, 2/1/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/5/18. No tentative ruling will be issued for trial. Appearances are required on 3/8/18.

Prior tentative ruling as of 1/24/18. No tentative ruling will be issued for trial. Appearances are required on 2/1/18.

Prior tentative ruling as of 7/10/17. The court has reviewed the separate pretrial stipulations that the parties submitted, and it appears that pursuant to Local Bankruptcy Rule 7016-1(f) the court should impose sanctions of \$250 against counsel and self-represented party each for their failure to jointly submit a pretrial stipulation without excuse as both are culpable in their noncompliance with the rule. Appearances are required on 7/11/17.

Prior tentative ruling. This matter will be heard on the 3:30 p.m. calendar with the hearing on defendant's motion to dismiss. Appearances are required at 3:30 p.m. rather than 1:30 p.m. No tentative ruling on the merits.

Party Information

Debtor(s):

Reggie Lyn Bishop Pro Se

Defendant(s):

Reggie Lyn Bishop Sr Pro Se

Plaintiff(s):

Willie Mae Phelps Represented By
Frances M Campbell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, March 08, 2018

Hearing Room 1675

9:00 AM

CONT... Reggie Lyn Bishop

Chapter 7

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, March 19, 2018

Hearing Room 1675

2:00 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 11

#1.00 Hearing re: Emergency motion for an order authorizing (1) continued use of existing cash management system and bank accounts on a temporary basis, (2) the continued use of checks and business forms on a temporary basis, and (3) related relief

Docket 6

Tentative Ruling:

No tentative ruling will be issued for the matter heard on shortened notice.
Appearances are required on 3/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, March 19, 2018

Hearing Room 1675

2:00 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 11

#2.00 Hearing re: Emergency motion for an order authorizing payment of pre-petition wages, salaries employee benefits and related items

Docket 7

Tentative Ruling:

No tentative ruling will be issued for the matter heard on shortened notice.
Appearances are required on 3/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, March 19, 2018

Hearing Room 1675

2:00 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 11

#3.00 Hearing re: Emergency motion for order (1) approving adequate assurance to utility providers, (2) setting related objection procedures, and (3) granting related relief

Docket 8

Tentative Ruling:

No tentative ruling will be issued for the matter heard on shortened notice.
Appearances are required on 3/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, March 19, 2018

Hearing Room 1675

2:00 PM

2:18-12552 Zero Energy Contracting, Inc

Chapter 11

#4.00 Hearing re: Emergency motion for interim order authorizing use of cash collateral, granting adequate protection, and setting further hearings on final use of cash collateral

Docket 10

Tentative Ruling:

No tentative ruling will be issued for the matter heard on shortened notice.
Appearances are required on 3/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

10:30 AM

2:17-17738 Sharp Financial LLC

Chapter 11

#1.00 Hearing re: Motion for relief from stay
(Bayview Loan Servicing, LLC VS Debtor)

Docket 43

Tentative Ruling:

The motion is procedurally defective: (1) the unauthorized transfer of an interest of the property was from the borrowers to Grandview Financial, and it appears that the claim for relief under 11 U.S.C. 362(d)(4) should have been in Grandview's bankruptcy case rather than this debtor's bankruptcy case. This debtor appears to have been given a lien interest in the property by Grandview rather than the borrowers. (2) service on the debtor is inadequate because the suite number is missing on the proof of service, which does not indicate proper service; (3) service on the original borrowers is inadequate because the street number is incomplete and inaccurate on the proof of service, which does not indicate proper service. Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Sharp Financial LLC

Pro Se

Movant(s):

BAYVIEW LOAN SERVICING,

Represented By
Edward G Schloss

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

10:30 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#2.00 Hearing re: Motion for relief from stay
(US Bank Trust National Association VS Debtor)

Docket 177

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Movant has standing to seek stay relief because it has a colorable claim to enforce the trust deed as the substitute foreclosure trustee. In re Rozier, BAP No. CC-12-1359-KiPaD, 2013 WL 4428808 (9th Cir. BAP 2013), citing, California Civil Code Sections 2924 through 2924k and Debrunner v. Deutsche Bank National Trust Co., 204 Cal.App.4th 433, 440 (2012), affirmed, 623 Fed. Appx. 517 (9th Cir. 2015), citing inter alia, In re Griffin, 719 F.3d 1126, 1128 (9th Cir. 2013). In its reply, movant has submitted evidence that it is the current holder of the note based on endorsements of the note, and has shown that it has standing to enforce the note as the noteholder. In re Griffin, 719 F.3d 1126 (9th Cir. 2013).

No tentative ruling on request for relief under 11 U.S.C. 362(d)(4) because no service was made on the original borrower and this court generally requires service on the original borrower for due process concerns. In re Dorsey, 476 B.R. 261, 270 (Bankr. C.D. Cal. 2012).

Deny the request for extraordinary relief in paragraph 3 since the debtor is not the borrower under the relevant loan agreements. Deny requests for extraordinary relief in paragraphs 8, 10 and 11 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

No tentative ruling on the request to waive the 14-day waiting period under FRBP 4001(a)(3).

Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

10:30 AM

CONT... Grand View Financial LLC

Chapter 11

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

10:30 AM

2:17-25154 Kelly Kathleen Davis

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)

Docket 10

***** VACATED *** REASON: Withdrawal of motion filed on 3/16-18-mb.**

Tentative Ruling:

Off calendar. Motion withdrawn by notice filed on 3/16/18. No appearances are required on 3/20/18.

Party Information

Debtor(s):

Kelly Kathleen Davis

Represented By
John Asuncion

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

10:30 AM

2:18-10022 Cathy Merrill Mejia

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Santander Consumer USA Inc.VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Cathy Merrill Mejia

Represented By
Marvin Jarrett Mann

Movant(s):

Santander Consumer USA Inc.

Represented By
Jennifer H Wang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

10:30 AM

CONT... Cathy Merrill Mejia

Chapter 7

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

10:30 AM

2:18-10529 Everton Watson

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Winston Burns and Wendy Burns VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Everton Watson

Pro Se

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

10:30 AM

2:18-10615 Joleatha Beavers

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Financial Services Vehicle Trust VS Debtor)

Docket 8

***** VACATED *** REASON: Withdrawn per notice filed on 3/12/18-mb.**

Tentative Ruling:

Off calendar. Motion withdrawn by notice filed on 3/12/18. No appearances are required on 3/20/18.

Party Information

Debtor(s):

Joleatha Beavers

Represented By
Jennifer Ann Aragon

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

10:30 AM

2:18-10945 Josue Herrera

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(NASA Federal Credit Union VS Debtor)

Docket 12

Tentative Ruling:

Movant has not provided sufficient evidence of standing to seek stay relief since the so-called certificate of title is not what it purports to be as a third party non-governmental report, and not a government issued certificate of title. The report lacks evidentiary foundation. FRE 602, 901 and 902. Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Josue Herrera

Represented By
Patricia M Ashcraft

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

10:30 AM

2:18-11869 Shivaun Michell McCloud

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(Towne Center Fee Owner, LLC VS Debtor)

Docket 7

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 3 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Shivaun Michell McCloud

Represented By
Erika Luna

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01556 Gonzalez v. Klimenko

#9.00 Cont'd status conference re: Complaint objecting to discharge
fr. 1/30/18

Docket 1

***** VACATED *** REASON: Cont'd from 3/20/18 to 5/8/18 at 1:30 p.m.
per stip & order entered on 2/21/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 5/8/18 at 1:30 p.m. No
appearances are required on 3/20/18.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh
Michael Jay Berger

Defendant(s):

Wladimir John Klimenko

Pro Se

Plaintiff(s):

Rosendo Gonzalez

Represented By
D Edward Hays

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

1:30 PM

2:17-17167 Izabel Ouzounian

Chapter 7

Adv#: 2:17-01484 Avery v. Ouzounian et al

#10.00 Cont'd status conference re: Complaint seeking to avoid transfer 11 U.S.C. §548(a)(1)(B) (i)(ii)(IV) and denial of discharge under 11 U.S.C. 727(a)(4)(A) fr. 11/28/17, 12/19/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. The court has reviewed the joint status report stating that the matter is settled. The parties will need to submit a dispositive stipulation and/or order resolving the adversary proceeding now that the matter is settled. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/18/17. No tentative ruling on the merits. Appearances are required on 12/19/17, but counsel may appear by telephone.

Prior tentative ruling. The court notes that the parties have not filed the joint status report required under LBR 7016-1 or that plaintiff has not filed a unilateral status report as required by the court's order setting initial status conference entered on 9/27/17, and intends to impose monetary sanctions of \$100 on counsel for trustee. Appearances are required on 11/28/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Izabel Ouzounian

Represented By
Sevag S Simonian

Defendant(s):

Izabel Ouzounian

Pro Se

Rosine Ouzounian

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

1:30 PM

CONT... Izabel Ouzounian

Chapter 7

Plaintiff(s):

Wesley H, Avery

Represented By
Adam Stevens

Trustee(s):

Wesley H Avery (TR)

Represented By
Georgeann H Nicol
Adam Stevens

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01008 Grand View Financial, LLC v. Wilmington Savings Fund Society, FSB et al

#11.00 Status conference re: Complaint for: (1) declaratory relief regarding alleged standing of certain defendants under note and deed of trust, purported foreclosure sale, purported trustees deed upon sale, and title to real property; (2) turnover of real property; (3) disallowance of any claims of defendants; (4) violation of fair debt collection practices act

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status report requesting a continuance of the status conference for about 60 days. The court on its own motion continues the status conference to 5/22/18 at 1:30 p.m, and has entered an order so continuing the status conference. A joint status report is due on 5/15/18. Plaintiff is to give written notice of continuance to defendant or its counsel. No appearances are required on 3/20/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By

Todd M Arnold

Lindsey L Smith

Ian Landsberg

Defendant(s):

Wilmington Savings Fund Society,

Pro Se

Christiana Trust, a Division of

Pro Se

Entra Default Solutions, LLC

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By

Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

1:30 PM

2:17-24174 Capital Marketing Advisors, LLC

Chapter 7

Adv#: 2:18-01004 Global Capital Development, LLC v. Capital Marketing Advisors, LLC, a

#12.00 Status conference re: Complaint to determine nondischargeability of debt under 11 U.S.C. §523(a)(2)(A), §523(a)(2)(B), §523(a)(4) and §523(a)(6); breach of contract; breach of fiduciary duty; specific performance; embezzlement /constructive fraud

Docket 1

***** VACATED *** REASON: Continued from 3/20/18 to 5/22/18 at 1:30 p.m. per stip & order entered on 3/19/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 5/22/18 at 1:30 p.m.
Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Capital Marketing Advisors, LLC	Represented By Robert J Spitz
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Defendant(s):

Capital Marketing Advisors, LLC, a	Pro Se
Ernest R. Gonzales, an individual	Pro Se
Does 1 to 50, inclusive	Pro Se

Plaintiff(s):

Global Capital Development, LLC	Represented By Mark E Saltzman
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Trustee(s):

John J Menchaca (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:00 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01102 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#13.00 Pretrial conference re: Complaint for (1) to Avoid and Recover Fraudulent or Avoidable Transfers; (2) for Imposition of Constructive Trust; (3) for Unjust Enrichment; (4) for Turnover; and (5) to Disallow Claims fr. 4/25/17, 7/25/17, 10/24/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings, including setting discovery cutoff, pretrial conference and trial dates, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Updated tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that the parties are discussing settlement and intend to agree to a 90 day continuance of the discovery cutoff date at defendant's request. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:00 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Raimon Mark Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:00 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01103 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#14.00 Pretrial conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) for Imposition of Constructive Trust; (3) for Unjust Enrichment; (4) for Turnover; and (5) to Disallow Claims
fr. 4/25/17, 7/25/17, 10/24/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings, including setting discovery cutoff, pretrial conference and trial dates, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that the parties are discussing settlement and intend to agree to a 90 day continuance of the discovery cutoff date at defendant's request. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:00 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Michael Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:00 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01104 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#15.00 Status conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 4/25/17, 7/25/17, 10/24/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings in light of defendant's pending Chapter 7 bankruptcy case, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. Updated tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that counsel for defendant has not responded to counsel for trustee's inquiries about preparing and filing a joint status report. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:00 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Renato Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:00 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01105 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#16.00 Cont'd status conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 4/25/17, 7/25/17, 10/24/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. the court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings in light of defendant's pending Chapter 7 bankruptcy case, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. Updated tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that counsel for defendant has not responded to counsel for trustee's inquiries about preparing and filing a joint status report. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:00 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Felicidad Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:00 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01112 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#17.00 Pretrial conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 4/25/17, 7/25/17, 10/24/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings, including setting discovery cutoff, pretrial conference and trial dates, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that the parties are discussing settlement and intend to agree to a 90 day continuance of the discovery cutoff date at defendant's request. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. At the status conferences on related party matters on 5/3/16, counsel for the parties represented on the record that they were agreeable to the dates set in the related matters and would submit a stipulation and proposed scheduling order, which would incorporate the dates

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:00 PM

CONT... Corona Care Convalescent Corporation
set in those other matters.

Chapter 7

Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Appearances are optional on 5/3/16, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Mariam Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:11-31397 John Bernard Christian and Teresa Marie Christian

Chapter 7

#18.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Alfred H. Siegel, Chapter 7 Trustee]

Docket 92

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 3/20/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

John Bernard Christian

Represented By
John Morkos

Joint Debtor(s):

Teresa Marie Christian

Represented By
John Morkos

Trustee(s):

Alfred H Siegel (TR)

Represented By
Anthony A Friedman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:11-31397 John Bernard Christian and Teresa Marie Christian

Chapter 7

#19.00 Hearing re: Application for fees and expenses
[Levene, Neale, Bender, Yoo & Brill, LLP, Attorneys for Chapter 7 Trustee]

Docket 90

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 3/20/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

John Bernard Christian

Represented By
John Morkos

Joint Debtor(s):

Teresa Marie Christian

Represented By
John Morkos

Trustee(s):

Alfred H Siegel (TR)

Represented By
Anthony A Friedman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:11-31397 John Bernard Christian and Teresa Marie Christian

Chapter 7

#20.00 Hearing re: Application for fees and expenses
[Grobstein Teeple, LLP As Accountants for Chapter 7 Trustee]

Docket 91

Tentative Ruling:

Approve final fee application of accountants for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 3/20/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

John Bernard Christian

Represented By
John Morkos

Joint Debtor(s):

Teresa Marie Christian

Represented By
John Morkos

Trustee(s):

Alfred H Siegel (TR)

Represented By
Anthony A Friedman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:13-37216 Albert Talassazan

Chapter 7

#21.00 Hearing re: Chapter 7 trustee's motion for order authorizing trustee to: (1) assume possession and control of proceeds of sale of real property; and (2) upstream proceeds from the sale from the limited liability company to the estate

Docket 145

Tentative Ruling:

No tentative ruling as of 3/19/18. Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Albert Talassazan

Represented By
Kenderton S Lynch

Trustee(s):

Peter J Mastan (TR)

Represented By
Reem J Bello
Jeffrey I Golden
Christopher J Green

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:14-31065 Elena Juarez

Chapter 7

#22.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Carolyn A. Dye, Chapter 7 Trustee]

Docket 52

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 3/20/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Elena Juarez

Pro Se

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:14-31065 Elena Juarez

Chapter 7

#23.00 Hearing re: Application for fees and expenses
[LEA Accountancy, LLP, Accountant for Chapter 7 Trustee]

Docket 50

Tentative Ruling:

Approve final fee application of accountants for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 3/20/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Elena Juarez

Pro Se

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#24.00 Hearing re: Motion for status conference relating to the death of Moll and order to remove lien on pre petition asset

Docket 50

***** VACATED *** REASON: Cont'd from 3/20/18 to 3/27/18 at 2:30 p.m.
per order entered on 3/8/18-mb.**

Tentative Ruling:

Off calendar. The court on its own motion continues the hearing on the motion to 3/27/18 at 2:30 p.m. to be heard with plaintiff's motion to substitute party. No appearances are required on 3/20/18.

Party Information

Debtor(s):

Gary Moll

Represented By
Ilyse Klavir
Gary E Moll - INACTIVE -

Defendant(s):

Gary E Moll

Represented By
Ilyse Klavir
Gary E Moll - INACTIVE -

Gary E Moll and Associates

Represented By
Ilyse Klavir
Gary E Moll - INACTIVE -

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:16-10351 Donald Martinez

Chapter 7

#25.00 Cont'd hearing re: Motion for order authorizing loan modification agreement
fr. 8/22/17, 12/12/17, 2/6/18

Docket 54

Tentative Ruling:

Updated tentative ruling as of 3/19/18. Grant debtor's motion to authorize loan modification for the reasons stated in the moving papers and for lack of outstanding and timely opposition since the trustee has now filed a withdrawal of his opposition to the motion. Appearances are optional on 3/20/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Prior tentative ruling as of 2/5/18. Off calendar. Continued by stipulated motion and order to 3/20/18 at 2:30 p.m. No appearances are required on 2/6/18.

Prior tentative ruling as of 12/11/17. Off calendar. Continued by stipulation and order to 2/6/18 at 2:30 p.m. No appearances are required on 12/12/17.

No tentative ruling as of 8/21/17. Appearances are required on 8/22/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Donald Martinez

Represented By
Edgar P Lombera

Trustee(s):

John J Menchaca (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:16-10351 Donald Martinez

Chapter 7

#26.00 Cont'd hearing re: Application by chapter 7 trustee to employ Neiman Realty as Real Estate Broker
fr. 8/29/17, 10/3/17, 1/9/18, 2/6/18

Docket 45

Tentative Ruling:

Updated tentative ruling as of 3/19/18. Off calendar. Application withdrawn by trustee. No appearances are necessary.

Prior tentative ruling as of 2/5/18. Off calendar. Continued by stipulated motion and order to 3/20/18 at 2:30 p.m. No appearances are required on 2/6/18.

Prior tentative ruling as of 1/8/18. Off calendar. Continued by stipulation and order to 2/6/18 at 2:30 p.m. No appearances are required on 1/9/18.

No updated tentative ruling as of 10/2/17. Appearances are required on 10/3/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

No tentative ruling as of 8/28/17. Appearances are required on 8/29/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Donald Martinez

Represented By
Edgar P Lombera

Trustee(s):

John J Menchaca (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

CONT...

Donald Martinez

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:16-10351 Donald Martinez

Chapter 7

#27.00 Cont'd hearing re: Motion to compel abandonment
fr. 8/29/17, 10/3/17, 1/9/18, 2/6/18

Docket 47

Tentative Ruling:

Updated tentative ruling as of 3/19/18. Grant debtor's motion to compel abandonment for the reasons stated in the moving papers and for lack of outstanding and timely opposition since the trustee has now filed a withdrawal of his opposition to the motion. Appearances are optional on 3/20/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Prior tentative ruling as of 2/5/18. Off calendar. Continued by stipulated motion and order to 3/20/18 at 2:30 p.m. No appearances are required on 2/6/18.

Prior tentative ruling as of 1/8/18. Off calendar. Continued by stipulation and order to 2/6/18 at 2:30 p.m. No appearances are required on 1/9/18.

Prior tentative ruling as of 10/2/17. Appearances are required on 10/3/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

No tentative ruling as of 8/28/17. Appearances are required on 8/29/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Donald Martinez

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

CONT... Donald Martinez

Chapter 7

Edgar P Lombera

Trustee(s):

John J Menchaca (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:16-20727 Juan A Acosta and Maria L Acosta

Chapter 7

#28.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[John J. Menchaca, Chapter 7 Trustee]

Docket 69

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 3/20/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Juan A Acosta

Represented By
Alla Tenina

Joint Debtor(s):

Maria L Acosta

Represented By
Alla Tenina

Trustee(s):

John J Menchaca (TR)

Represented By
Brianna L Frazier
Leonard M Shulman
Rika Kido

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:16-20727 Juan A Acosta and Maria L Acosta

Chapter 7

#29.00 Hearing re: Application for fees and expenses
[Shulman Hodges & Bastian LLP, Attorney for Chapter 7 Trustee]

Docket 66

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 3/20/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Juan A Acosta

Represented By
Alla Tenina

Joint Debtor(s):

Maria L Acosta

Represented By
Alla Tenina

Trustee(s):

John J Menchaca (TR)

Represented By
Brianna L Frazier
Leonard M Shulman
Rika Kido

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:16-20727 Juan A Acosta and Maria L Acosta

Chapter 7

#30.00 Hearing re: Application for fees and expenses
[Menchaca & Company LLP, Accountant for Chapter 7 Trustee]

Docket 68

Tentative Ruling:

Approve final fee application of accountants for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 3/20/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Juan A Acosta

Represented By
Alla Tenina

Joint Debtor(s):

Maria L Acosta

Represented By
Alla Tenina

Trustee(s):

John J Menchaca (TR)

Represented By
Brianna L Frazier
Leonard M Shulman
Rika Kido

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

#31.00 Hearing re: Motion for order approving carve-out agreement with secured creditor, Edward H. Olague, Sr. as successor trustee of the Theodasia A. Olague Living Trust

Docket 105

Tentative Ruling:

No tentative ruling as of 3/19/18. Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh
Michael Jay Berger

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#32.00 Hearing re: Defendant B&O Logistics, Inc.'s motion to dismiss complaint and for an order to show cause why plaintiffs should not be sanctioned for violating automatic stay

Docket 9

***** VACATED *** REASON: Matter to be heard at 3:00 p.m. - refer to calendar # 39.**

Tentative Ruling:

Matter to be heard on 3:00 p.m. calendar. See tentative ruling for matter number 39.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Pro Se

Michael Beom Lee

Pro Se

Sam Kim

Pro Se

Yoon Lee

Pro Se

Chang Won Choi

Pro Se

Joon Rhee

Pro Se

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:17-13387 Gerardo Iniguez

Chapter 7

#33.00 Cont'd hearing re: Motion to convert case from chapter 7 to 13
fr. 1/30/18

Docket 47

***** VACATED *** REASON: Voluntary dismissal filed on 3/19/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/19/18. Debtor filed a notice of voluntary dismissal on 3/19/18. The court will treat the hearing as moot if there is no objection to the withdrawal of the motion. Appearances are optional on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling. Continued by stipulation and order to 3/20/18 at 2:30 p.m. No appearances are required on 1/30/18.

Party Information

Debtor(s):

Gerardo Iniguez

Represented By
Grace White

Trustee(s):

Wesley H Avery (TR)

Represented By
Joseph Caceres

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:17-16801 Joel Abdiel Bazan and Maria Ines Bazan

Chapter 7

#34.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Timothy J. Yoo, Chapter 7 Trustee]

Docket 25

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 3/20/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Joel Abdiel Bazan	Pro Se
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Joint Debtor(s):

Maria Ines Bazan	Pro Se
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Trustee(s):

Timothy Yoo (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:17-17642 Amber Andersen

Chapter 7

Adv#: 2:17-01523 Andersen v. Navient Solutions LLC

#35.00 Cont'd hearing re: Defendant Navient Solutions, LLC's motion to stay pursuant to F.R.B.P. 7007 and 11 U.S.C § 105 fr. 2/6/18

Docket 14

Tentative Ruling:

Updated tentative ruling as of 3/19/18. Deny motion to stay proceedings because as shown by plaintiff's receipt of IRS Forms 1098 for her student loan, she does not meet the definition of the class involved in the pending nationwide class action litigation. Moreover, it is uncertain when the class certification motion will be heard by the bankruptcy court in the Eastern District of New York, and even if the class is certified, debtor may be able to opt out. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 3/20/18 at 2:30 p.m. No appearances are required on 2/6/18.

Party Information

Debtor(s):

Amber Andersen

Represented By
John D Faucher

Defendant(s):

Navient Solutions LLC

Represented By
Robert S Lampl

Plaintiff(s):

Amber Andersen

Represented By
John D Faucher

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

CONT... Amber Andersen

Chapter 7

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:17-17642 Amber Andersen

Chapter 7

Adv#: 2:17-01523 Andersen v. Navient Solutions LLC

#36.00 Cont'd status conference re: Complaint to determine dischargeability of student loans fr. DS, 1/23/18, 2/6/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 2/5/18. Off calendar. Continued on the court's own motion to 3/20/18 at 2:30 p.m. No appearances are required on 2/6/18.

Prior tentative ruling. Continued ;by stipulation and order to 2/6/18 at 2:30 p.m. No appearances are required on 1/23/18.

Party Information

Debtor(s):

Amber Andersen

Represented By
John D Faucher

Defendant(s):

Navient Solutions LLC

Represented By
Robert S Lampl

Plaintiff(s):

Amber Andersen

Represented By
John D Faucher

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:17-23602 Jaime Ochoa and Jessica Garcia

Chapter 7

#37.00 Hearing re: Motion under 11 U.S.C. §110 for fines against Bankruptcy petition preparer: Albert G. Otritz, Tax Guy albert Inc. Tax Guy Albert Downey Inc. and Tax Guy Downey LLC

Docket 12

Tentative Ruling:

No tentative ruling as of 3/19/18. The case of In re Carrier, 313 B.R. 247, 252 (Bankr. M.D. Fla. 2006) cited in the moving papers to support one of the violations does not exist or is erroneously cited. Appearances are required on 3/20/18.

Party Information

Debtor(s):

Jaime Ochoa Pro Se

Joint Debtor(s):

Jessica Garcia Pro Se

Movant(s):

United States Trustee (LA) Represented By
Ron Maroko

Trustee(s):

Heide Kurtz (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

2:30 PM

2:17-23694 TERRY LC CHIN

Chapter 7

#38.00 Hearing re: Motion to dismiss case

Docket 16

Tentative Ruling:

Treat as a contested matter under FRBP 9014 and set an evidentiary hearing on the issues of good faith and abuse under 11 U.S.C. 707(b) because there are disputed and material issues of fact, although creditor's showing is pretty weak. Appearances are required on 3/20/18 to discuss scheduling, but counsel may appear by telephone.

Party Information

Debtor(s):

TERRY LC CHIN

Represented By
Michael Y Lo

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

3:00 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#39.00 Hearing re: Motion of defendant B & O Logistics to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay

Docket 8

Tentative Ruling:

The court agrees with defendants that actions to set aside fraudulent transfers of assets of a bankruptcy debtor belongs to the bankruptcy estate and may be the basis for a motion to dismiss because actions to collect upon assets of the estate are subject to the automatic stay and relief from stay has not been obtained by the plaintiffs. In re MortgageAmerica Corp., 714 F.2d 1266, 1275 (5th Cir. 1983); In re Curry & Sorenson, Inc., 57 B.R. 824, 827-828 (9th Cir. BAP 1986); but see, In re Colonial Realty Co., 980 F.2d 125, 130-132 (2nd Cir. 1992). As noted by plaintiffs, there is a division in circuit authority as to whether property of the bankruptcy estate includes property subject to a fraudulent transfer avoidance action is part of the bankruptcy estate before the avoidance action. See Peter Spero, *Fraudulent Transfers, Prebankruptcy Planning and Exemptions*, Section 3.3 (Westlaw online Sept. 2017 update), citing, In re MortgageAmerica Corp., supra; In re Colonial Realty Co., supra; Rajala v. Garner, 709 F.3d 1031 (10th Cir. 2013); In re Allen, 768 F.3d 274 (3rd Cir. 2014). There is no definitive case authority in the Ninth Circuit, though the Bankruptcy Appellate Panel of the Ninth Circuit has stated that a fraudulent transfer avoidance action to recover property fraudulently transferred by a bankruptcy debtor is an asset of the debtor's bankruptcy estate. In re Curry & Sorenson, Inc., supra. The court will follow the BAP rule in Curry & Sorenson, Inc., as the current law of the Ninth Circuit.

Having said this, however, before the court rules on defendants' motions to dismiss, the court notes that plaintiffs could obtain authority of this court to

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

3:00 PM

CONT... Plain Leasing, Inc.

Chapter 11

allow them as parties other than the trustee or debtor-in-possession to pursue litigation on behalf of the estate (as opposed for themselves only). In re Curry & Sorenson, Inc., supra; In re Spauding Composites Co., 207 B.R. 899, 903 (9th Cir. BAP 1997). If plaintiffs are seeking to enforce their own interests as creditors, the court would thus grant the motions to dismiss, but if plaintiffs are seeking authorization from the court to pursue the litigation on behalf of the estate and its creditors, they should file and serve an appropriate motion, and the court would consider it subject to hearing from other interested parties.

Deny request for an order to show cause and/or sanctions for violation of stay since the stay is not intended to protect non debtor parties. 11 U.S.C. 362(a); see also, Ingersoll-Rand Financial Corp. v. Miller Mining Co., 817 F.2d 1424, 1427 (9th Cir. 1987). Moreover, it would be difficult to show civil contempt here that plaintiffs willfully violated a specific and definite order of the court by clear and convincing evidence, see, e.g., In re Dyer, 322 F.3d 1178. 1190-1191 (9th Cir. 2003), in bringing the fraudulent transfer action against defendants, given the uncertainty of the law as indicated by the lack of definitive case authority in the Ninth Circuit and otherwise divided circuit authority on the question of whether a fraudulently transferred property before avoidance is property of a debtor's bankruptcy estate circuit.

Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

3:00 PM

CONT... Plain Leasing, Inc.

Chapter 11

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

3:00 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#40.00 Hearing re: Motion of defendant Ji Kun Lim's to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay

Docket 13

Tentative Ruling:

See tentative ruling for matter number 39.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

3:00 PM

CONT... Plain Leasing, Inc.

Chapter 11

Movant(s):

Ji Kun Lim

Represented By
Mette H Kurth

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

3:00 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#41.00 Hearing re: Motion of defendant JPMorgan Chase Bank, N.A. to dismiss first amended complaint fr. 2/27/18

Docket 13

Tentative Ruling:

Updated tentative ruling as of 3/19/18. Grant defendants' motions to dismiss as follows: (1) first, second, third and fourth claims for relief based on permissive abstention because these claims are based on plaintiff's state law claims for wrongful foreclosure and the court should abstain because state law issues predominate over bankruptcy issues, there is no jurisdictional basis over the claims other than related to jurisdiction under 28 U.S.C. 1334, the degree of relatedness or remoteness of the claims to the main bankruptcy case is tenuous because these claims are all based on the state law unlawful foreclosure claims, plaintiff's claims are noncore proceedings because plaintiff must establish its underlying state law noncore wrongful foreclosure claims before obtaining relief on these claims, the litigation of state law claims would be burdensome on this court's docket, it is likely that the commencement of this adversary proceeding involves forum shopping because plaintiff could have filed these claims in the state court either before or after bankruptcy and nondebtor parties, defendants, are present, and the other factors are neutral, In re Tucson Estates, Inc., 912 F.2d 1162, 1166-1167 (9th Cir. 1990); (2) fifth claim for relief for disallowance of claims, dismissal without prejudice because the claim is premature since the bank has not filed any proof of claim; (3) sixth claim for relief based on Fair Debt Collection Practices Act - dismissal with prejudice pursuant to FRCP 12(b)(6) because plaintiff fails to state a claim that bank acted to collect any debt against plaintiff, bank is not a debt collector as creditor, mortgagor or mortgage serviceing company and the claim is time-barred since brought more than one year after alleged violation pursuant to 15 U.S.C. 1692k(d). Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling. The court on its own motion continues the hearing on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

3:00 PM

CONT... Grand View Financial LLC

Chapter 11

the motion to dismiss to 3/20/18 at 3:00 p.m. A separate order is being entered. No appearances are required on 2/27/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Represented By
Matthew S Henderson

QUALITY LOAN SERVICE

Represented By
Merdaud Jafarnia

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

3:00 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#42.00 Cont'd status conference re: Complaint for: (1) Declaratory Relief Regarding Alleged Standing Of Defendants Under Note And Deed Of Trust; (2) Declaratory Relief Regarding Purported Foreclosure Sale And Trustees Deed Upon Sale And Title To Real Property; (3) Declaratory Relief Regarding Unlawful Detainer Action; (4) Turnover Of Real Property; (5) Disallowance Of Any Claims Of JPMorgan Chase Bank, N.A.; (6) Violation Of Fair Debt Collection Practices Act
fr. 2/13/18, 2/27/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. Off calendar. The court on its own motion continues the status conference to 3/20/18 at 3:00 p.m. A separate order is being entered. No appearances are required on 2/27/18.

Prior tentative ruling. The court has reviewed the joint status report and also notes on the case docket that there is a hearing on the motion of defendant JP Morgan Chase Bank, N.A. to dismiss plaintiff's amended complaint on 2/27/18 at 3:00 p.m., which may have an impact on scheduling in this adversary proceeding. Therefore, the court on its own motion continues the status conference to 2/27/18 at 3:00 p.m. to be conducted with the hearing on the motion to dismiss the amended complaint. No appearances are required on 2/13/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 20, 2018

Hearing Room 1675

3:00 PM

CONT... Grand View Financial LLC

Chapter 11

Defendant(s):

JPMORGAN CHASE BANK, N.A. Pro Se

QUALITY LOAN SERVICE Pro Se

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

10:30 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#1.00 Cont'd hearing re: Application to convert case to chapter 7 based upon debtor's failure to comply with prior court order fr. 2/28/18

Docket 314

Tentative Ruling:

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

No tentative ruling as of 2/26/18. Appearances are required on 2/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

10:30 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#2.00 Cont'd hearing re: Motion to value collateral supporting claim 7-1
[11 U.S.C. §506(a), FRBP 3012]
fr. 12/14/17, 1/9/18, 2/28/18

Docket 223

Tentative Ruling:

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the hearing on 11/2/17 will be treated as a status conference. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

10:30 AM

CONT... Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

10:30 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#3.00 Cont'd hearing re: Motion to modify plan
fr. 12/14/17, 1/9/18, 2/28/18

Docket 263

Tentative Ruling:

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 and the related motion to modify plan set for 11/2/17 at 9:00 a.m. will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

10:30 AM

CONT... Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

10:30 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#4.00 Cont'd status conference re: Confirmation of plan
fr. 12/14/17, 1/9/18, 2/28/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

10:30 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 12/14/17, 1/9/18, 2/28/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/30/17. No tentative ruling on the merits. Appearances are required on 11/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits. Appearances are required on 6/27/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

10:30 AM

CONT... Swing House Rehearsal and Recording, Inc. Chapter 11

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

10:30 AM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 12/14/17, 1/9/18, 2/28/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/17. No tentative ruling on the merits. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/11/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits. Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

10:30 AM

CONT... Philip Joseph Jaurigui

Chapter 11

Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

10:30 AM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

Adv#: 2:17-01245 7175 WB, LLC v. Jaurigui

#7.00 Cont'd status conference re: Complaint to determine nondischargeability of debt (11 U.S.C. §§523(a)(2) and (a)(6))
fr. 12/14/17, 1/9/18, 2/28/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Updated tentative ruling as of 11/6/17. No tentative ruling on the merits. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

10:30 AM

CONT... Philip Joseph Jaurigui

Chapter 11

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/27/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

7175 WB, LLC

Represented By
Michael D Good

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#8.00 Hearing re: Application for payment of interim fees and/or expenses for DLA Piper LLP (US) as Successor by Merger to Liner LLP], debtor's attorney, Period: 6/5/2017 to 9/6/2017, Fee: \$42,297.00, Expenses: \$276.51.

Docket 322

Tentative Ruling:

Approve interim fee application of DLA Piper, LLP, special counsel for debtor-in-possession for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 3/20/18, but counsel and applicant may appear by telephone. Counsel for debtor or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#9.00 Hearing re: Application for payment Interim fees and/or expenses of Friedman, Kannenberg & Company, accountant, Period: 1/11/2017 to 12/31/2017, Fee: \$8,485.02, Expenses: \$1,514.98

Docket 327

Tentative Ruling:

Approve interim fee application of accountants for debtor-in-possession for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 3/21/18, but counsel and applicants may appear by telephone. Counsel for debtor or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#10.00 Hearing re: Application for payment Interim fees and/or expenses of Liner Law Group LLP, attorney for debtor, Period: 9/1/2017 to 12/1/2017, Fee: \$3,555.00,

Docket 326

Tentative Ruling:

Approve interim fee application of Liner Law Group, LLP, special counsel for debtor-in-possession for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 3/20/18, but counsel and applicant may appear by telephone. Counsel for debtor or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#11.00 Hearing re: Application for payment of first Interim fees and/or expenses of Levene, Neale, Bender, Yoo & Brill L.L.P., debtor's attorney, Period: 11/8/2016 to 12/31/2017, Fee: \$448,647.50, Expenses: \$21,594.83

Docket 325

Tentative Ruling:

It appears there is a \$4,500 transposition error in a billing entry on 10/11/18 by KR for emails and calls, claiming 9.0 hours rather than 0.9 hour (page 82). Appearances are required on 3/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

Movant(s):

Levene, Neale, Bender, Yoo & Brill

Represented By

Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:13-12977 Dowent Family LLC

Chapter 11

#12.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/30/17, 10/25/17, 1/17/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. Off calendar. The court continues the status conference on its own motion to 4/25/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/25/18. No appearances are required on 3/21/18.

Prior tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Prior tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Prior tentative ruling as of 1/23/17. Off calendar. The court continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 11/28/16. Off calendar. The court continues the status conference on its own motion to 1/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/25/17. No appearances are required on 11/30/16.

Prior tentative ruling as of 10/24/16. Off calendar. The court continues the status conference on its own motion to 11/29/16 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 11/29/16. No appearances are required on 10/26/16.

Prior tentative ruling as of 9/26/16. Off calendar. The court has reviewed debtor's status report and continues the status conference on its own motion to 10/26/16 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/26/16. No appearances are required on 9/27/16.

Prior tentative ruling as of 7/25/16. Appearances are required on 7/27/16, but counsel may appear by telephone.

Updated tentative ruling as of 1/12/16. The court has reviewed debtor's status report. Appearances are required on 1/13/16, but counsel may appear by telephone.

No updated tentative ruling as of 9/8/15. Appearances are required on 9/9/15, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

Prior tentative ruling as of 7/6/15. No tentative ruling on the merits.
Appearances are required on 7/8/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/30/15. Appearances required on 3/31/15, but
counsel may appear by telephone.

Prior tentative ruling as of 3/30/15. Appearances required on 3/31/15, but
counsel may appear by telephone.

Prior tentative ruling as of 9/29/14. The court has reviewed debtor's status
report. No tentative ruling. Appearances are required on 10/1/14, but
counsel may appear by telephone.

Updated tentative ruling as of 6/16/14. The court has reviewed debtor's
status report. No tentative ruling. Appearances are required on 6/18/14, but
counsel may appear by telephone.

Prior tentative ruling as of 2/17/14. No tentative ruling on the merits.
Appearances are required on 2/19/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling. Appearances are required on 11/20/13, but counsel may
appear by telephone.

Party Information

Debtor(s):

Dowent Family LLC

Represented By
Todd C. Ringstad

Movant(s):

Dowent Family LLC

Represented By
Todd C. Ringstad

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:13-26021 L Scott Apparel Inc.

Chapter 11

#13.00 Cont'd status conference re: Post confirmation of plan
fr. 8/30/17, 10/25/17, 1/17/18

Docket 140

Tentative Ruling:

Updated tentative ruling as of 3/19/18. Off calendar. The court continues the status conference on its own motion to 4/25/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/25/18. No appearances are required on 3/21/18.

Prior tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Corrected tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Updated tentative ruling as of 1/23/17. Off calendar. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 10/17/16. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. In light of the current pending litigation, especially the Sharron adversary proceeding, it seems that a further status conference should be set in about 120 days. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 12/1/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 12/2/15, but counsel may appear by telephone.

Prior tentative ruling as of 7/27/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 7/29/15 to discuss scheduling of further post-confirmation proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 3/9/15. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

CONT... **L Scott Apparel Inc.**

Chapter 11

Prior tentative ruling as of 12/2/14. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of claims as described in the status report. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/2/14. Appearances are required on 9/3/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 9/3/14 at 11:00 a.m. to allow the parties a limited opportunity to continue in plan modification negotiations. No appearances are required on 8/21/14.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

Movant(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:15-12558 Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel

Chapter 11

#14.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/10/17, 9/27/17, 12/6/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits.
Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 9/25/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
9/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
5/10/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits.
Appearances are required on 1/24/17, but counsel may appear by telephone.

Updated tentative ruling as of 12/12/16. No tentative ruling on the merits.
Appearances are required on 12/13/16, but counsel may appear by
telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits.
Appearances are required on 11/16/16, but counsel may appear by
telephone.

Updated tentative ruling as of 10/31/16. Off calendar. The court on its own
motion vacates this status conference in light of the pending proceedings
regarding the amended disclosure statement for which there are separate
hearings at which the status of the case is considered. No appearances are

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

CONT... Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel
required on 11/3/16.

Chapter 11

Updated tentative ruling as of 7/5/16. No tentative ruling in light of pendency of motion to approve disclosure statement. Appearances are required on 7/6/16, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling in light of pendency of motion to approve disclosure statement. Appearances are required on 4/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 2/22/16. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 2/24/16, but counsel may appear by telephone.

No updated tentative ruling as of 12/14/15. Appearances are required on 12/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 10/19/15. Appearances are required on 10/21/15, but counsel may appear by telephone.

No updated tentative ruling as of 9/15/15. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 6/30/15. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 7/1/15 to address status, including United States Trustee compliance issues, but counsel may appear by telephone.

Prior tentative ruling as of 4/28/15. Appearances are required on 4/29/15, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtors' status report. No tentative ruling as of 4/13/15. Appearances are required on 4/15/15 to address status, including United States Trustee compliance issues, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

CONT... Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel

Chapter 11

Debtor(s):

Kenneth Leonard Dymmel

Represented By
Robert M Aronson

Joint Debtor(s):

Ruth Elizabeth Dymmel

Represented By
Robert M Aronson

Movant(s):

Kenneth Leonard Dymmel

Represented By
Robert M Aronson

Ruth Elizabeth Dymmel

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:15-27143 Don P. Chairez and Maria J. Chairez

Chapter 11

#15.00 Hearing re: Debtors' motion for entry of an order: (I) approving the proposed second amended disclosure statement; (II) setting deadlines for voting to accept or reject debtors' chapter 11 plan; (III) setting deadlines for filing objections to the chapter 11 plan; (IV) setting a record date for voting purposes; and (V) setting the confirmation hearing on the plan

Docket 210

***** VACATED *** REASON: Case dismissed per order entered on 2/8/18-
mb.**

Tentative Ruling:

Off calendar. The hearing on the motion is moot because the case is dismissed. No appearances are necessary.

Party Information

Debtor(s):

Don P. Chairez

Represented By
Jeffrey A Cogan

Joint Debtor(s):

Maria J. Chairez

Represented By
Jeffrey A Cogan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#16.00 Hearing re: Creditor Cindy Magleby's motion for discretionary abstention re debtor's motion to disallow claims of Cindy S. Magleby (claim numbers 13, 7, and 12)

Docket 423

Tentative Ruling:

Deny creditor Cindy Magleby's motion for discretionary abstention because the matter of claim objections is a core matter, the court has jurisdiction over the claim objection dispute as a core bankruptcy matter, abstention would adversely impact the efficient administration of the estate since there is no certainty that the claims determination issues will be resolved expeditiously in state court, there is not much difference in litigating claims estimation only for plan confirmation purposes as opposed to determining the claims on the merits, litigation of the claim objections in this court will provide certainty for plan confirmation, despite the litigation of the claim objections will be burdensome on the court's docket and arguably the filing of the bankruptcy case involved forum shopping. In re Tucson Estates, 912 F.2d 1162 (9th Cir. 1990); In re Conejo Enterprises, Inc., 96 F.3d 346 (9th Cir. 1996).
Appearances are required on 3/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#16.10 Cont'd pretrial confrence re: Motion by creditor Cindy Magleby for entry of order dismissing debtor's chapter 11 case
fr. 9/27/17, 11/29/17, 2/7/18, 3/7/18

Docket 115

Tentative Ruling:

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on
11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on
9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on
7/26/17, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because
there are disputed factual issues that requires an evidentiary hearing. Parties
should be prepared to discuss their discovery needs and scheduling of
pretrial and trial proceedings. Appearances are required on 11/16/16, but
counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

CONT...

Curtis C. Magleby

Alan F Broidy
Illyssa I Fogel

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#16.20 Cont'd hearing re: Renewed motion for order disallowing claims of Fried & Goldsman, APLC (claim no. 15) and Taylor and Liberman (claim no. 16) fr. 12/13/17, 2/7/18, 3/7/18

Docket 394

Tentative Ruling:

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#16.30 Cont'd hearing re: Motion to disallow claims of Banc of California, N.A.
fr. 12/13/17, 2/7/18, 3/7/18

Docket 372

Tentative Ruling:

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#16.40 Cont'd hearing re: Debtor's motion to disallow claims of Cindy S. Magleby
(claim numbers 13, 7, and 12)
fr. 12/13/17, 2/7/18, 3/7/18

Docket 390

Tentative Ruling:

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court notes that claimant has a pending motion for abstention on her claims set for hearing on 3/21/18. If the court abstains, this itself will not postpone plan confirmation proceedings because the parties may request the court to estimate the claims for voting on plan confirmation. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. If claimant believes that the court should permissively abstain from hearing this contested matter, then she should bring a proper motion for abstention rather than raising the request in her opposition to the objection. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). However, it seems

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

to the court that it could properly hear the objection to claim as a core proceeding under 28 U.S.C. 157(b)(2)(B) and not abstain under *In re Conejo Enterprises, Inc.*, 96 F.3d 346 (9th Cir. 1996). Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#16.50 Cont'd hearing re: Disclosure statement
fr. 9/27/17, 11/29/17, 2/7/18, 3/7/18

Docket 174

Tentative Ruling:

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court has reviewed debtor's status update and request to continue the status conference. No tentative ruling on the merits. Appearances are required on 3/7/18 to discuss scheduling and the the impact of treatment on creditor Cindy Magleby's claims for plan voting and abstention among other things, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. The court notes that debtor filed a second amended disclosure statement on 1/30/18, 8 days before the further hearing on 2/7/18. Creditor Banc of California filed a response on 1/31/18 objecting to debtor's noticing approval of the amended disclosure statement for the hearing on 2/7/18, citing the court's oral ruling that creditors should be given 3 weeks notice of hearing on an amended disclosure statement. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, including adequate time for creditors to respond to debtor's second amended disclosure statement and a scheduling of a further hearing on debtor's second amended disclosure statement to allow for review and comment by creditors and interested parties, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. The court has reviewed debtor's status report. Appearances are required on 11/29/17 to discuss scheduling of further proceedings, including filing date for debtor's second amended disclosure statement, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. Debtor in his status report filed on 2/22/17 indicated that he and his counsel are working on revising and amending the original disclosure statement to include a revised and updated liquidation analysis and taking into account resolutions of claims of creditors, including First Republic Bank (however, the court notes that it disapproved without prejudice the stipulation resolving claim of First Republic Bank in light of objection of creditor Cindy Magelby since it appears that debtor will need to bring a FRBP 9019 motion). Appearances are required on 3/1/17 regarding scheduling of further proceedings for an amended and revised disclosure statement, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01331 Magleby v. Magleby

#16.60 Cont'd status conference re: Complaint objecting to discharge of debtor pursuant to 11 U.S.C. §§523(a)(5), (a)(15) and §727 fr. 9/27/17, 11/29/17, 2/7/18, 3/7/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

No tentative ruling as of 11/14/16. Appearances are required on 11/16/16,
but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Curtis C. Magleby

Pro Se

Plaintiff(s):

Cindy Magleby

Represented By
Michael J Conway

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

#16.70 Cont'd status conference re: Complaint to recover property of the estate and for turnover of property of the estate pursuant to section 542(a) of the United States Bankruptcy Code, 11 U.S.C. §542(a)
fr. 9/27/17, 11/29/17, 2/7/18, 3/7/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits.
Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits.
Appearances are required on 1/25/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Cindy Magleby

Pro Se

Plaintiff(s):

Curtis C. Magleby

Represented By
Alan F Broidy

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#17.00 CONT'D EVIDENTIARY HEARING RE: Motion for relief from stay
(U.S. Bank Trust N.A. VS Debtor)
fr. 10/24/17, 11/7/17, 1/4/18

Docket 79

Tentative Ruling:

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/3/18. On movant's claim under 11 U.S.C. 362(d)(2), it has met its burden of proof under 11 U.S.C. 362(g)(1) to demonstrate lack of equity in the subject property based on the stipulated value for the property. Debtor as the party opposing relief has the burden on the remaining issue of demonstrating under 11 U.S.C. 362(g)(2) and (d)(2) that the property is necessary to its effective reorganization, i.e., a confirmed reorganization plan is in reasonable prospect. Specifically, debtor must produce some evidence that its plan could be confirmed by a reasonable bankruptcy judge. In re Bonner Mall Partnership, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). Debtor's projected income based on its principal's consulting income of \$12,500 per month is not supported by any credible evidence for this projection. The demonstrated history in this case does not support the projection, and there is no credible explanation of how the income can be generated at that level to demonstrate plan feasibility under 11 U.S.C. 1129(a)(11). Debtor has not shown that it is likely to have at least one impaired class of claims to accept its plan under 11 U.S.C. 1129(a)(10) since there is no credible evidence indicating any creditor support for the plan (debtor's conclusory assertions are not evidence). Based on what has been submitted in the papers, the court is inclined to find that debtor has not met its burden of proof on the second prong of 11 U.S.C. 362(d)(2) that the property is necessary for its effective reorganization, i.e., that its plan could be confirmed by a reasonable bankruptcy judge and that the stay relief motion should be granted. Appearances are required on 1/4/18.

Prior tentative ruling as of 11/6/17. Appearances are required on 11/7/17, but

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

CONT... SK Vision LLC

Chapter 11

counsel may appear by telephone.

No updated tentative ruling as of 10/24/17. Appearances are required on 10/24/17, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set schedule of pretrial and trial proceedings. Appearances are required on 9/26/17 to discuss the parties' respective pretrial needs, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#18.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/18/17, 12/13/17, 1/4/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/3/18. No tentative ruling on the merits.
Appearances are required on 1/4/18, but counsel may appear by telephone.

Updated tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits.
Appearances are required on 10/18/17, but counsel may appear by
telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but
counsel may appear by telephone.

Prior tentative ruling as of 5/1/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
5/3/17, but counsel may appear by telephone.

No tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but
counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

CONT... SK Vision LLC

Chapter 11

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#19.00 Hearing re: Disclosure statement

Docket 62

Tentative Ruling:

The disclosure statement does not contain adequate information. Regarding treatment of secured claims, the text in the plan refers to Article II, but no Article II is attached. Exhibit C to the plan refers to certain notes for each claim, but these notes do not adequately spell out the treatment of the primary secured claim to Wells Fargo Bank, the senior secured lender for the loan on debtor's residence. The disclosure statement should have a more detailed description of how this claim will be treated under the plan. The plan itself is not much better. It is hard to tell what is being proposed for treatment of the claim. The disclosure statement and plan will have to be revised for sake of clarity. If this is a cramdown situation, it does not appear that a 40 year payout is fair and equitable for this creditor, and debtor should probably consider taking out this creditor when the loan matures under the existing terms. Appearances are required on 3/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Peter G. Kudrave

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#20.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/25/17, 1/31/18, 1/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/9/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/9/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Peter G. Kudrave

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#21.00 Hearing re: Shulman Hodges & Bastian LLP's motion to withdraw as counsel for the debtor

Docket 71

Tentative Ruling:

Grant motion of Shulman Hodges & Bastian LLP to withdraw as counsel for debtor pursuant to California Rule of Professional Conduct 3-700(C) for the reasons stated in the moving papers. Appearances are required on 3/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By

John-Patrick M Fritz

Ryan D ODea

Leonard M Shulman

Shulman Hodges & Bastian LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#22.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/28/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 2/28/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

People Who Care Youth Center, Inc. Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:18-10692 Morningside, LLC

Chapter 11

#23.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Morningside, LLC

Represented By
Moises S Bardavid

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#24.00 Hearing re: Motion for entry of order authorizing debtor to (A) use cash collateral through and including April 30, 2018; and (B) borrow money from affiliate, US Longton, Inc., on an administrative expense priority basis

Docket 29

Tentative Ruling:

No tentative ruling as of 3/19/18. In its reply to opposition of Creditors Dayco Funding Corp. and Luxor Properties, Inc., Debtor states that it agrees to the terms and conditions for use of cash collateral stated in the opposition. Appearances are required on 3/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Fox Property Holdings, LLC

Represented By
Timothy J Yoo
Juliet Y Oh

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:00 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#24.10 Hearing re: Motion for authority to obtain post-petition insurance premium financing to obtain property insurance policy

Docket 36

***** VACATED *** REASON: Notice of voluntary dismissal filed on 3/20/18-mb.**

Tentative Ruling:

Revised tentative ruling as of 3/20/18. Movant filed a notice of voluntary dismissal/withdrawal of the motion on 3/20/18, and the matter appears to be moot. Appearances are optional on 3/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Fox Property Holdings, LLC

Represented By
Timothy J Yoo
Juliet Y Oh

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:30 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#25.00 Hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 18

***** VACATED *** REASON: Voluntary dismissal of motion filed on 3/15/18-mb.**

Tentative Ruling:

No tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Fox Property Holdings, LLC

Represented By
Timothy J Yoo
Juliet Y Oh

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:30 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#25.10 Cont'd status conference re: Management of chapter 11 case
fr. 3/7/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. Appearances are required on 3/7/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Fox Property Holdings, LLC

Represented By
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 21, 2018

Hearing Room 1675

11:30 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#26.00 Hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 57

***** VACATED *** REASON: Voluntary dismissal of motion filed on 3/15/18-mb.**

Tentative Ruling:

Off calendar. Motion voluntarily dismissed by notice filed on 3/15/18. No appearances are required on 3/21/18.

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By
David I Brownstein

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#1.00 Cont'd hearing re: Motion for relief from stay
(Bayview Loan Servicing LLC VS Debtor)
fr. 3/6/18

Docket 472

Tentative Ruling:

Updated tentative ruling as of 3/26/18. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Appearances are required on 3/27/18 because after the hearing concluded on 3/6/18, a party attempted to appear on the matter, but counsel may appear by telephone.

Prior tentative ruling. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. No tentative ruling on request for relief under 11 U.S.C. 362(d)(4) because no service was made on the original borrower and this court generally requires service on the original borrower for due process concerns. In re Dorsey, 476 B.R. 261, 270 (Bankr. C.D. Cal. 2012). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Appearances are required on 3/6/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

10:30 AM

CONT... Chul Hyun Gong

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

10:30 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#2.00 Hearing re: Motion for relief from stay
(Federal Home Loan Mortgage Corp. VS Debtor)

Docket 181

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. No tentative ruling on request for stay annulment as movant has not shown that the legal standards of National Environmental Waste Corp. v. City of Riverside (In re National Environmental Waste Corp.), 129 F.3d 1052 (9th Cir. 1997) and In re Gasprom, Inc., 500 B.R. 598 (9th Cir. BAP 2013) have been met.

Deny the request for extraordinary relief in paragraph 3 since the debtor is not the borrower under the relevant loan agreements. Deny request for extraordinary relief in paragraphs 10 and 14 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Appearances are required on 3/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

10:30 AM

2:17-24288 Yong Xin Investment Group, LLC

Chapter 11

#3.00 Hearing re: Motion for relief from stay
(Ta Siu & Qin Chen VS Debtor)

Docket 29

***** VACATED *** REASON: Cont'd from 3/27/18 to 5/16/18 at 11:00 a.m.
per stip & order entered on 3/26/18**

Tentative Ruling:

Revised tentative ruling as of 3/26/18. Off calendar. Continued by stipulation and order to 5/16/18 at 11:00 a.m. No appearances are required on 3/27/18.

Prior tentative ruling. Deny motion for relief from stay under 11 U.S.C. 362(d) (1) on grounds of bad faith since the circumstances argued by movants that the debtor is a SARE and that there are few other creditors and movants are the major creditors, and thus, this is only a two-party dispute, by themselves do not make this case to be one filed in bad faith.

Deny motion for relief from stay under 11 U.S.C. 362(d)(3) on condition that debtor pay adequate protection payments to movants based on the 8% nondefault contract rate of interest on the value of the creditors' interest in the real estate, retroactive to the date of the first adequate protection payment. It appears that: (1) counsel for the parties were negotiating adequate protection terms in good faith near the end of the 90-day period after the order for relief; (2) counsel for movants proposed 6% to counsel for debtor during the negotiation, but was unable to obtain client authorization for that proposal and notified counsel for debtor right before the end of the 90 day period; (3) given the shortness of time in the notification of lack of client authority by counsel for movant before the deadline, debtor made a first adequate protection payment at 6% rate preliminarily proposed by counsel for movant before the deadline, which seems to be in good faith; and (4) however, there was no agreement between the parties for adequate protection payments less than the 8% nondefault contract rate, and movants have not waived their rights under 11 U.S.C. 362(d)(3) for at least adequate protection payments based on the nondefault contract rate of 8%, the statute says what it says, and debtor needs to pay that rate as adequate protection if it wants the stay to remain in place under 11 U.S.C. 362(d)(3). If debtor is not willing to pay the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

10:30 AM

CONT... Yong Xin Investment Group, LLC

Chapter 11

8% rate, the court will grant the motion under 11 U.S.C. 362(d)(3). Debtor in its reply states that it has no problem paying 8%, but the value of the property for adequate protection purposes should be \$3 million, yielding an adequate protection payment of \$20,000, which is less than what was first paid. Apparently, during the adequate protection negotiations, the parties assumed that the value was \$4.5 million, and there may be a material issue of fact of the adequacy of the adequate protection payments for purposes of 11 U.S.C. 362(d)(3) based on differences in valuation of the subject collateral. If the parties dispute valuation, the court will set an evidentiary hearing on valuation, and the parties should be prepared to discuss how they will prove up valuation for the purposes of this motion at the hearing.

Appearances are required on 3/27/18, but counsel may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Yong Xin Investment Group, LLC

Represented By
James S Yan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

10:30 AM

2:17-24772 Tara NIKANJAM

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(State Farm Mutual Automobile Insurance Company VS Debtor)

Docket 12

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Tara NIKANJAM

Represented By
Kaveh Ardalan

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

10:30 AM

2:18-10824 Brett Clark

Chapter 7

#5.00 Cont'd hearing re: Motion for relief from stay
(Harold Herskowitz VS Debtor)
fr. 2/27/18, 3/6/18

Docket 9

Tentative Ruling:

Updated tentative ruling as of 3/26/18. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (b)(22) , or issue determination that no stay was and is in place, and allow movant to pursue non-bankruptcy remedies for the reasons stated in the moving papers.

Debtor's opposition filed on 3/23/18 is late-filed and may be deemed to consent to granting of the motion pursuant to LBR 9013-1(h) since it was not filed within 14 days of hearing pursuant to LBR 9013-1(f) and does not rebut movant's prima facie showing that no automatic stay is in place from the bankruptcy petition because movant obtained a prepetition judgment for possession of residential rental property as indicated by Exhibit C to the motion (Superior Court minute order filed and served on 1/19/18 granting movant's ex parte application for judgment pursuant to stipulation and ordering lockout to proceed forthwith). Debtor's petition documents and the bankruptcy case docket reflect that debtor has not within 30 days of petition date filed the certification that he would be permitted to cure the entire monetary default and that he has not within 30 days of petition date deposited the cure amount with the clerk of the court provided under 11 U.S.C. 362(l) to except debtor from the effect of 11 U.S.C. 362(b)(22) providing for no automatic stay where landlord obtains a prepetition judgment for possession on residential rental property. Thus, due to these failures, there was and is no automatic stay in place to stop the landlord from carrying out the eviction, and debtor's remedies for damages from improper eviction lie under state law in the unlawful detainer action in state court.

Deny debtor's request to continue the hearing on grounds that he has filed a motion for contempt because: (1) the motion is procedurally defective since he should have filed a motion for an order to show cause for contempt

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

10:30 AM

CONT... Brett Clark

Chapter 7

pursuant to LBR 9020-1 and (2) the motion for contempt fails to address debtor's failure to comply with 11 U.S.C. 362(l) to except him from the effect of no stay under 11 U.S.C. 362(b)(22).

No tentative ruling on the request to waive the 14-day waiting period under FRBP 4001(a)(3) in light of debtor's opposition to the motion.

Appearances are required on 3/27/18, but counsel may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website

Prior tentative ruling as of 3/5/18. Local Bankruptcy Rules 4001-1(c)(1)(A) and 9013-1(d) require service of notice of hearing relating to a residential unlawful detainer stay relief motion on the debtor and debtor's attorney, if any, and the proof of service of the notice of continued hearing indicates only notice to debtor's attorney and not to debtor. Movant will have to give notice to debtor and debtor's attorney of a further continuance. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. It appears that movant has asked for a hearing on shortened notice under LBR 9075-1 without filing an application for hearing on shortened notice. Appearances are required on 2/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Brett Clark

Represented By
David H Chung

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

10:30 AM

2:18-11595 103 VVE Enterprises Corp

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(211 La Brea LLC VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

103 VVE Enterprises Corp

Represented By
Jong Y Kim

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

10:30 AM

2:18-12135 Nichole Goines

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(Realty Holdings PSJC LLC VS Debtor)

Docket 9

Tentative Ruling:

Deny the stay relief motion without prejudice as moot because the case was dismissed on 3/19/18. Appearances are optional on 3/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Nichole Goines Pro Se

Movant(s):

Realty Holdings PSJC LLC or South Represented By
Carol G Unruh

Trustee(s):

John J Menchaca (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

11:00 AM

2:15-25283 Arturo Gonzalez

Chapter 7

#8.00 Cont'd hearing re: Motion by the chapter 7 trustee objecting to the debtor's amended schedules filed December 12, 2017 (docket no. 229) to claim a homestead exemption in the real property at 329 Hawaiian Avenue, Wilmington, CA and to claim a "tools of the trade" exemption in commissions fr. 2/13/18

Docket 241

Tentative Ruling:

No updated tentative ruling as of 3/26/18. Appearances are required on 3/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

No tentative ruling as of 2/12/18. Appearances are required on 2/13/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Marc Weitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

11:00 AM

2:17-12087 Leala M. Simich

Chapter 7

#9.00 Cont'd hearing re: Motion for relief from stay
(U.S. Bank National Association VS Debtor)
fr. 8/15/17, 11/28/17, 1/30/18

Docket 10

***** VACATED *** REASON: Cont'd from 3/27/18 to 5/29/18 at 11:00 a.m.
per stip & order entered on 3/26/18- pp.**

Tentative Ruling:

Revised tentative ruling as of 3/26/18. Off calendar. Continued by stipulation and order to 5/29/18 at 11:00 a.m. No appearances are required on 3/27/18.

Prior tentative ruling as of 11/27/17. Off calendar. Continued by stipulation and order to 1/30/18 at 10:30 a.m. No appearances are required on 11/28/17.

Prior tentative ruling. As indicated in debtor's response of non-opposition to the motion, It appears that the subject property is not property of the estate since there was a marital dissolution judgment in 2010 between debtor and her former spouse, which allocated the property to the former spouse as his separate property in the their division of marital property. Thus, the motion should be granted under 11 U.S.C. 362(d)(1) for cause since the property does not appear to be property of the estate. Appearances are required on 5/23/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Leala M. Simich

Represented By
Jennifer Ann Aragon

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

2:12-30028 MEHRDAD TAHERIPOUR

Chapter 7

Adv#: 2:13-01443 Gill v. Nexgen Energy Holdings PCC

#10.00 Cont'd status conference re: Trustee's complaint to avoid and recover for fraudulent transfer; and for preliminary injunctions fr. 9/26/17, 11/28/17, 1/30/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/26/18. No tentative ruling on the merits. Appearances are required on 3/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/17. Off calendar. The court has reviewed plaintiff's unilateral status report and noted that the docket reflects that default has been entered against defendant Shetabi on the third amended complaint. The court on its own motion continues the status conference for about 60 days to 3/27/18 at 1:30 p.m. to allow time for plaintiff to file a renewed motion for entry of default judgment. No appearances are required on 1/30/18.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 9/25/17. No tentative ruling on the merits. Appearances are required on 9/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/5/17. The court has reviewed trustee's unilateral status report. No tentative ruling on the merits. Appearances are required on 6/6/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/7/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits. Appearances are required on 1/10/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

Prior tentative ruling as of 10/7/16. The parties in their joint status report indicated that they had an interest in mediation. Perhaps the parties can consider and discuss the possibility to refer the matter first to mediation before proceeding with full-blown litigation of the remaining claims. Appearances are required on 10/11/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/2/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/6/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 6/20/16. The court has reviewed the joint status report of some of the parties appearing in this matter, including the attached statement of the Burris Parties, as well as the separate status statement of Eric Herrera.

The court also notes the parties used an obsolete version of the Joint Status Report form from December 2012, and in the future, the parties should use the current version of the form adopted in December 2015. The new joint status report form solicits the parties' positions as to whether they consent to the bankruptcy court's determination of noncore claims in light of *Stern v. Marshall*, 131 S.Ct. 2594 (2011), *Executive Benefits Insurance Agency v. Arkison*, 134 S.Ct. 2165 (2014) and *Wellness International Network, Ltd. v. Sharif*, 135 S.Ct. 1932 (2015). If consent of all parties is given, the bankruptcy court will enter a final judgment, but if consent of all parties is not given, then the court will issue proposed findings of fact and conclusions of law for de novo review by the district court. *Id.*

Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 12/8/2014. Off calendar. The court has issued an order vacating the hearings and taking the matters under submission.

Revised tentative ruling as of 12/2/14. Off calendar. The court continues the status conference on its motion to 12/9/14 at 2:00 p.m. due to congestion on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

the court's calendar, its continuing deliberation on the various dismissal motions. and the inclement weather today. No appearances are required on 12/2/14.

Prior tentative ruling as of 12/1/14. No tentative ruling. Appearances are required on 12/2/14. Counsel may appear telephonically.

Prior tentative ruling as of 11/24/14. Off calendar. The status conference is continued on the court's own motion to 12/2/14 at 3:30 p.m. in light of the continuances of the pending motions to dismiss. No appearances are required on 11/25/14.

Tentative ruling as of 11/17/14. Off calendar, continued to 11/25/14 at 3:30 p.m. by order entered 11/17/14. Appearances are not required on 11/18/14.

Updated tentative ruling as of 8/25/14. Off calendar. The court on its own motion continues the status conference to 9/23/14 at 2:30 p.m. to be conducted with the hearings on the defendants' motions to dismiss the third amended complaint. No appearances are required on 8/26/14

Prior tentative ruling as of 7/28/14. Off calendar. The court has reviewed the appearing parties' status report and continues the status conference to 8/26/14 at 1:30 p.m. in light of the dismissal of the second amended complaint and the time for filing and serving a third amended complaint has not expired. No appearances are required on 7/29/14

Prior tentative ruling as of 6/2/14. Off calendar. The court has reviewed the appearing parties' status report and continues the status conference to 7/29/14 at 1:30 p.m. in light of the pending motions of several defendants to dismiss to be heard on 6/17/14 and 7/8/14 and in light of plaintiff's continuing efforts to effect service of process on other defendants. No appearances are required on 6/3/14

Prior tentative ruling as of 1/13/14. Off calendar. To be heard at 3:00 p.m. calendar with plaintiff's motion to file amended complaint. Appearances are required on 3:00 p.m. calendar, not at 1:30 p.m..

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

No updated tentative ruling as of 11/25/13. Appearances are required on 11/26/13, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Appearances are required on 10/15/13 to discuss scheduling and the status of mediation since the parties do not agree. Since the parties intend to bring cross-motions for summary judgment, the court request the parties to discuss and consider trying the case on stipulated facts in lieu of cross-motions for summary judgment.

Prior tentative ruling The court has reviewed the joint status report. Appearances are required on 6/11/13 to discuss scheduling and mediation since the parties do not agree.

Party Information

Debtor(s):

MEHRDAD TAHERIPOUR

Represented By
Alan F Broidy

Defendant(s):

Nexgen Energy Holdings PCC

Pro Se

Plaintiff(s):

DAVID Gill

Represented By
Nathan D Meyer

Trustee(s):

David A Gill (TR)

Pro Se

David A Gill (TR)

Represented By
David A Gill (TR)

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

2:16-18163 Anthony Curtis Wells

Chapter 7

Adv#: 2:16-01440 Diamond, Chapter 7 Trustee, Plaintiff v. Wells et al

- #11.00** Cont'd status conference re: Chapter 7 trustee's complaint: (1) for declaratory relief; (2) for turnover; (3) to avoid and recover fraudulent transfer; (4) imposition of a constructive trust; and (4) in the alternative, for sale of the entirety of real property pursuant to 11 U.S.C. §363(h)
fr. 5/9/17, 8/22/17, 12/12/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/26/18. No tentative ruling on the merits. Appearances are required on 3/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/21/17. No tentative ruling on the merits. Appearances are required on 8/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/17. No tentative ruling on the merits. Appearances are required on 5/9/17 to discuss the status of the related state court litigation in which entry of judgment was expected shortly as reported at the last status conference and the scheduling of further proceedings if judgment has not been entered and trustee is not yet prepared to dismiss this adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 2/27/17. The court notes that the parties failed to file a joint status report as required by LBR 7016-1. Appearances are required on 2/28/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report and is

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

CONT... Anthony Curtis Wells Chapter 7

inclined to stay the proceedings pending the trial in the related state court action starting on 1/10/17 and to set a further status conference afterwards on 1/31/17 at 1:30 p.m. Appearances are required on 1/29/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Anthony Curtis Wells

Pro Se

Sayun Wells

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Aaron E de Leest

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01217 Gonzalez v. Brown et al

#12.00 Cont'd status conference re: Complaint for: (1) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §544(b)(1), 548(a)(1)(A), and 550, and California Civil Code §3439.04(a)(1); (2) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(I), and 550, and California Civil Code §3439.05; (3) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(II) and 550, and California Civil Code §3439.04(a)(2)(A); (4) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(III), and 550, and California Civil Code §3439.04(a)(2)(A); (5) Preservation of avoided transfer pursuant to 11 U.S.C. §551; (6) Disallowance of claim pursuant to 11 U.S.C. §502(d); and (7) Disallowance of claim pursuant to 11 U.S.C. §502(b)
fr. 5/30/17, 8/29/17, 9/12/17, 2/27/18

Docket 1

***** VACATED *** REASON: Cont'd from 3/27/18 to 5/8/18 at 1:30 p.m.
per stip & order entered on 3/19/18 pp**

Tentative Ruling:

Updated tentative ruling as of 3/26/18. Off calendar. Continued by stipulation and order to 5/8/18 at 1:30 p.m. No appearances are required on 3/27/18.

Prior tentative ruling as of 9/11/17. Appearances are required on 9/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status reports filed by the various parties. No tentative ruling on the merits. Appearances are required on 5/30/17.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
Stephen S Smyth
William J Smyth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

CONT... Wladimir John Klimenko

Chapter 7

Defendant(s):

Robert Anthony Brown	Pro Se
Law Office of Robert Brown	Pro Se
Acquplied Assets, B.T.	Pro Se
Wladimir John Klimenko	Pro Se
Wladimir J. Klimenko Living Trust	Pro Se
Jeffrey Alan Abraham	Pro Se
JMS Financial, Inc	Pro Se
Deanna Shapiro	Pro Se
BANK OF THE WEST	Pro Se

Plaintiff(s):

Rosendo Gonzalez	Represented By Sherri S Shafizadeh Thomas A Fasel
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Trustee(s):

Rosendo Gonzalez (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01018 Grand View Financial, LLC v. Deutsche Bank Trust Company Americas, As

#13.00 Status conference re: Complaint for: (1) declaratory relief regarding alleged standing of certain defendants under note and deed of trust, purported foreclosure sale, purported trustee's deed upon sale, purported subsequent sale and grant deed, and title to real property; (2) declaratory relief regarding unlawful detainer action; (3) turnover of real property; (4) disallowance of any claims of Deutsche Bank Trust Company Americas (5) violation of fair debt collection practices act

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed the joint status report in which the parties requested a continuance of the status conference because the pleadings are not yet at issue since not all defendants have responded to the complaint and plaintiff prefers that all parties tracking on the same trial timeline. The court on its own motion continues the status conference for about 60 days to 5/22/18 at 1:30 p.m. No appearances are required on 3/27/18. Plaintiff to give written notice of continuance.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Deutsche Bank Trust Company

Pro Se

Aztec Foreclosure Corporation

Pro Se

Amador Avenue Properties, LLC

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

CONT...

Grand View Financial LLC

Todd M Arnold

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

2:17-21936 Samuel Chea

Chapter 7

Adv#: 2:17-01585 Wolkowitz v. Lim et al

#14.00 Cont'd status conference re: Complaint for: (1) Avoidance of voidable transfer;
(2) Recovery of avoided transfer; and (3) Turnover of property
[11 U.S.C. §§542, 544, 548 and 550]
fr. 2/20/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/26/18. Off calendar. The court has reviewed the joint status report in which the parties requested a continuance of the status conference to allow an opportunity to first discuss settlement before setting a pretrial schedule. The court on its own motion continues the status conference for about 60 days to 5/29/18 at 1:30 p.m. No appearances are required on 3/27/18.

Prior tentative ruling. The court has reviewed the joint status report indicating that counsel has recently been retained by defendant and that the parties have not had their LBR 7026-1 initial meeting. The court on its own motion continues the status conference to 3/27/18 at 1:30 p.m. Trustee to give email or telephonic notice to counsel for defendant of the continuance of the status conference. No appearances are required on 2/20/18.

Party Information

Debtor(s):

Samuel Chea

Represented By
Anthony E Contreras

Defendant(s):

Annie Lim

Pro Se

Tony C. Sok

Pro Se

Samuel Chea

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

CONT... Samuel Chea

Chapter 7

Plaintiff(s):

Edward M Wolkowitz

Represented By
Carmela Pagay

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

2:17-23758 Socorro Ortiz Rivera

Chapter 7

#15.00 Hearing re: Motion for the appointment of Tania Rivera as debtor's next friend

Docket 17

***** VACATED *** REASON: Withdrawn per notice filed on 3/6/18-mb.**

Tentative Ruling:

Off calendar. Motion withdrawn by notice filed on 3/6/18. No appearances are necessary.

Party Information

Debtor(s):

Socorro Ortiz Rivera

Represented By
Sevan Gorginian

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

2:18-10533 Jose Esparza

Chapter 7

#16.00 Order to show cause for debtor's failure to file a Certificate of Credit Counseling

Docket 9

Tentative Ruling:

Off calendar. The hearing on the order to show cause is moot because the case was dismissed. No appearances are necessary.

Party Information

Debtor(s):

Jose Esparza

Pro Se

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

1:30 PM

2:18-11852 JVS Transport Inc

Chapter 7

#17.00 Order to show cause why case should not be dismissed pursuant to Local Bankruptcy Rule 9011-2(a)

Docket 11

Tentative Ruling:

No tentative ruling as of 3/26/18. Appearances are required on 3/27/18.

Party Information

Debtor(s):

JVS Transport Inc

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:00 PM

2:13-37216 Albert Talassazan

Chapter 7

#18.00 Status conference re: Motion for order disallowing claim no. 10-1 (Abraham Talassazan)
fr. 10/3/17, 11/7/17

Docket 133

Tentative Ruling:

No updated tentative ruling as of 3/26/18. Appearances are required on 3/27/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set a schedule of pretrial and trial proceedings. The court will treat the hearing as a status conference. Parties should attempt to consult regarding their pretrial needs, such as discovery, and suggest a proposed schedule to the court at the hearing.

To the extent that the trustee contends that the claim lacks documentation, that objection may not be valid because it is not necessarily based on a writing since it seems that creditor lent money to debtor without a writing, such as a promissory note, but the record is unclear. An objection to claim based on lack of documentation if the claim is not based on a writing is not well-taken. See *In re Los Angeles International Airport Associates*, 106 F.3d 1479 (9th Cir. 1997). It seems that the trustee's objection goes to the substance as opposed to just the lack of documentation since trustee relies upon debtor's schedules listing the debt at \$400,000. Given the deficiencies in pleading on both sides, the court believes that the parties should be given the benefit of a doubt and be allowed to present evidence in support of their respective positions for and against the claim and litigate the contested matter of the trustee's objection to creditor's claim in accordance with the usual burdens of proof associated with claims litigation as the Bankruptcy Appellate Panel of the Ninth Circuit stated in *In re Campbell*, 336 B.R. 430 (9th Cir. BAP 2005). Appearances are required on 11/7/17, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:00 PM

CONT... Albert Talassazan

Chapter 7

Debtor(s):

Albert Talassazan

Represented By
Kenderton S Lynch

Trustee(s):

Peter J Mastan (TR)

Represented By
Reem J Bello
Jeffrey I Golden
Christopher J Green

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:11-41173 Rosalva Lua

Chapter 7

#19.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Elissa D. Miller, Chapter 7 Trustee]

Docket 145

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 3/27/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Rosalva Lua

Represented By
Bruce R Fink

Trustee(s):

Elissa Miller (TR)

Represented By
Barry R Wegman
David A Tilem
Sylvia Lew

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:11-41173 Rosalva Lua

Chapter 7

#20.00 Hearing re: Application for fees and expenses
[David A Tilem, Attorney for Chapter 7 Trustee]

Docket 141

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 3/27/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Rosalva Lua

Represented By
Bruce R Fink

Trustee(s):

Elissa Miller (TR)

Represented By
Barry R Wegman
David A Tilem
Sylvia Lew

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:11-41173 Rosalva Lua

Chapter 7

#21.00 Hearing re: Application for fees and expenses
[LEA Accountancy, LLP, Accountant for Chapter 7 Trustee]

Docket 143

Tentative Ruling:

Approve final fee application of accountants for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 3/27/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Rosalva Lua

Represented By
Bruce R Fink

Trustee(s):

Elissa Miller (TR)

Represented By
Barry R Wegman
David A Tilem
Sylvia Lew

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01113 Diamond, Chapter 7 Trustee, Plaintiff v. Premier Rehabilitation Services, a

#22.00 Hearing re: Motion for leave to amend complaint pursuant to FRBP 7015

Docket 39

Tentative Ruling:

Overrule defendants' evidentiary objections to trustee's motion for leave to amend complaint for the reasons stated in the reply of trustee to the objections. Grant trustee's motion for leave to amend complaint for the reasons stated in the moving papers since equitable tolling could apply to the claims to avoid postpetition transfers under 11 U.S.C. 549. In re Olsen, 36 F.3d 71 (9th Cir. 1994). Trustee's cited authority in In re Olsen is controlling whereas defendants' cited authorities are not. Whether equitable tolling applies is a factual issue to be resolved at trial, and not on the pleadings, and if it could apply, it would not be futile to allow amendment of the complaint. In re Gladstone, 811 F.3d 1133 (9th Cir. 2016). Appearances are required on 3/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Premier Rehabilitation Services, a

Represented By
Jeffrey S Shinbrot

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell
Howard Kollitz
Zev Shechtman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Trustee(s):

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell
Zev Shechtman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#23.00 Hearing re: Motion to reopen discovery in regards to the homestead matter; motion to extend time to respond to the opposition of the chapter 7 trustee filed (docket 241)

Docket 263

Tentative Ruling:

For the convenience of the parties, the court will hear this matter on its 11:00 a.m. calendar, so the parties need not come to court twice on 3/27/18.

Overrule trustee's evidentiary objections to debtor's moving papers because the objected to statements are argument. Deny debtor's motion to reopen discovery on, and extend time to respond to trustee's objection to, his homestead exemption because the matter of the objection has been fully tried, the evidence was closed, reconsideration was only granted to allow further argument based on a possible change in the case law, and debtor's motion presents no new facts relevant to the claimed homestead exemption that warrant reopening of discovery. On their face, the alleged facts asserted by debtor do not state a claim for relief against trustee for misconduct or fraud (i.e., whether there was allegedly any problem with the buyer's FHA loan to purchase the real property asset of the bankruptcy estate is only an issue between the FHA and the buyer and does not invalidate the sale). The court has already extended time for debtor to respond to trustee's papers, and a further extension is not justified. Appearances are required on 3/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Marc Weitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

CONT...

Arturo Gonzalez

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#24.00 Hearing re: Motion to requesting leave of court to file a claim against Discover, Western Federal Credit Union, buyer's agent Richard Pena and Pinnacle Properties, listing agent Aaron Juarez, Cal American Homes and Buyer Carlos C. Farfan; motion to reopen discovery

Docket 276

Tentative Ruling:

For the convenience of the parties, the court will hear this matter on its 11:00 a.m. calendar, so the parties need not come to court twice on 3/27/18.

Deny debtor's motion for leave to file claims against Discover, Western Federal Credit Union, Richard Pena, Pinnacle Properties, Aaron Juarez, Cal American Homes and Carlos C. Farfan for failure to state a claim upon which relief can be granted. Debtor does not state any legally recognized claims against these parties, so leave will not be granted. Denial is without prejudice because the court does not see that prior leave of court is needed to assert claims against these parties, but if debtor asserts claims against these parties without a reasonable basis in fact and law, they might seek the imposition of sanctions against him pursuant to Federal Rule of Bankruptcy Procedure 9011. Appearances are required on 3/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted on the court's website.

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Marc Weitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#25.00 Cont'd hearing re: Motion for status conference relating to the death of Moll and order to remove lien on pre petition asset fr. 3/20/18

Docket 50

Tentative Ruling:

Updated tentative ruling as of 3/26/18. Deny counsel's motion for relief because: (1) counsel has not shown that she has now has authority to act on behalf of defendant or his estate since his death has been suggested on the record and she no longer has him as a client; (2) thus, counsel cannot now request that the adversary proceeding be dismissed or that the court order the release of plaintiff's judgment lien; (3) to the extent that counsel asks to be relieved, she needs to bring a separate motion to withdraw since that relief was not requested in the original motion. Deny plaintiff's request for sanctions against counsel because such relief must be requested by separate motion and not in any opposition to a motion, and in any event, there does not appear to be a proper basis for imposing sanctions against counsel. Appearances are required on 3/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted on the court's website.

Prior tentative ruling. The court on its own motion continues the hearing on the motion to 3/27/18 at 2:30 p.m. to be heard with plaintiff's motion to substitute party. No appearances are required on 3/20/18.

Party Information

Debtor(s):

Gary Moll

Represented By

Ilyse Klavir

Gary E Moll - INACTIVE -

Defendant(s):

Gary E Moll

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

CONT...

Gary Moll

Chapter 7

Gary E Moll and Associates

Ilyse Klavir
Gary E Moll - INACTIVE -

Represented By
Ilyse Klavir
Gary E Moll - INACTIVE -

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#26.00 Hearing re: Motion to substitute Lisa Moll-Watson for deceased defendant Gary E. Moll, as executor of the estate of Gary E. Moll, in this proceeding

Docket 57

Tentative Ruling:

No tentative ruling on the merits. It appears that the motion to substitute is timely filed within 90 days of suggestion of death by counsel for defendant under FRCP 25 (assuming for the sake of argument that counsel may properly suggest death of her client on the record, see In re Cardoza, 111 B.R. 906, 909 (Bankr. S.D. Cal. 1990)). However, plaintiff has not substantiated that Lisa Moll-Watson is the proper party defendant as the executor of defendant's estate. The court requires that plaintiff submit proof that she is now the representative of defendant's decedent estate. Moreover, plaintiff has not properly served Ms. Moll-Watson since the address listed for her on the proof of service of the motion is the funeral home and not her address as listed on defendant's death certificate. Appearances are required on 3/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted on the court's website.

Party Information

Debtor(s):

Gary Moll

Represented By
Ilyse Klavir
Gary E Moll - INACTIVE -

Defendant(s):

Gary E Moll

Represented By
Ilyse Klavir
Gary E Moll - INACTIVE -

Gary E Moll and Associates

Represented By
Ilyse Klavir

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

CONT... Gary Moll

Chapter 7

Gary E Moll - INACTIVE -

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:16-21278 Sandra M Curtis

Chapter 7

#27.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Elissa D. Miller, Chapter 7 Trustee]

Docket 52

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 3/27/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Sandra M Curtis	Pro Se
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Trustee(s):

Elissa Miller (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:17-12142 Herbert Nobby Palacios and Ana Beatriz Palacios

Chapter 7

#28.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Elissa D. Miller, Chapter 7 Trustee]

Docket 22

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 3/27/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Herbert Nobby Palacios

Represented By
Luis G Torres

Joint Debtor(s):

Ana Beatriz Palacios

Represented By
Luis G Torres

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#29.00 Hearing re: Motion for reconsideration of order approving in part first interim application by Simon Resnik Hayes LLP, former general bankruptcy counsel for the debtor, for allowance of fees and reimbursement of costs for the period April 24, 2017 through September 1, 2017

Docket 198

Tentative Ruling:

Grant motion for reconsideration for the reasons stated in the moving papers and for lack of timely written opposition with the understanding that payment is not authorized until distributions are made in the Chapter 7 phase of this case. Appearances are required on 3/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Eugen Valentin Dietl Pro Se

Trustee(s):

Wesley H Avery (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#30.00 Hearing re: Objection to proof of claim no. 4 filed by the Los Angeles County Treasurer and Tax Collector

Docket 58

Tentative Ruling:

Sustain debtors' objection to the claim of Los Angeles County for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 3/27/18, but counsel may appear by telephone. Debtors to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Paul Bodeau

Represented By
Lane K Bogard
David R Haberbush
Vanessa M Haberbush

Joint Debtor(s):

Sandra Bodeau

Represented By
Lane K Bogard
David R Haberbush
Vanessa M Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#31.00 Hearing re: Objection to proof of claim no. 6 filed by Southern California Edison

Docket 61

Tentative Ruling:

Overrule debtors' objection to the claims of Southern California Edison as debtors acknowledge in their reply that the amounts are correct as stated on the claims as supported by the evidence submitted by Southern California Edison in its opposition to the objection. Appearances are optional on 3/27/18, but counsel may appear by telephone. Southern California Edison to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Joint Debtor(s):

Sandra Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#32.00 Hearing re: Objection to proof of claim no. 7 filed by Young's Market Company assigned to Robinson & Associates, a California Corporation

Docket 65

Tentative Ruling:

Sustain debtors' objection to the claim of Robinson & Associates on grounds that the claimant has shown that it is the assignee and owner of the claim of Young's Market and that claimant has not filed a timely opposition to the objection. Appearances are optional on 3/27/18, but counsel may appear by telephone. Debtors to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Joint Debtor(s):

Sandra Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#33.00 Hearing re: Objection to proof of claim no. 8 filed by Young's Market Company assigned to Robinson & Associates, a California Corporation

Docket 67

Tentative Ruling:

Corrected tentative ruling as of 3/27/18. Sustain debtors' objection to the claim of Robinson & Associates on grounds that the claimant has not shown that it is the assignee and owner of the claim of Young's Market and that claimant has not filed a timely opposition to the objection. Appearances are optional on 3/27/18, but counsel may appear by telephone. Debtors to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Joint Debtor(s):

Sandra Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#34.00 Hearing re: Objection to proof of claim no. 10 filed by Left Coast Brewing Company

Docket 63

Tentative Ruling:

Treat as a contested matter under FRBP 9014 since there are disputed issues of material fact for trial and the hearing on the objection will be treated as a status conference at which the court will hear from the parties and set a schedule of pretrial and trial proceedings. Appearances are required on 3/27/18, but counsel may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Joint Debtor(s):

Sandra Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#35.00 Hearing re: Objection to proof of claim no. 11 filed by County of Orange

Docket 69

Tentative Ruling:

Sustain debtors' objection to the claim of Orange County on grounds that the claim is not owed by debtors personally, but by a separate corporate entity related to them, and that the county does not oppose the objection on this ground. Appearances are optional on 3/27/18, but counsel may appear by telephone. Debtors to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Paul Bodeau

Represented By
Lane K Bogard
David R Haberbush
Vanessa M Haberbush

Joint Debtor(s):

Sandra Bodeau

Represented By
Lane K Bogard
David R Haberbush
Vanessa M Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:17-24330 Jung Ja Kim

Chapter 7

#36.00 Hearing re: Debtor's motion to convert chapter 7 case to chapter 13 case

Docket 24

Tentative Ruling:

Deny debtor's motion to convert on grounds that the circumstances supported by trustee's evidence and request for judicial notice indicate bad faith conduct by debtor in seeking to convert this case: (1) debtor failed to disclose significant real property assets on her original bankruptcy schedules; (2) debtor failed to disclose material rental income on her original bankruptcy schedules; (3) debtor is seeking to convert once the trustee discovered her undisclosed real property assets and has taken action to sell such assets. *Marrama v. Citizens Bank of Massachusetts*, 549 U.S. 365 (2007). Also, deny motion because debtor failed to serve all creditors with notice of motion as required by FRBP 2002(a)(4) and 9013, namely the creditors added on her amended bankruptcy schedules filed on 2/8/18 when she served notice on 2/27/18, including Bank of America, LA DWP and Everhome Mortgage. There is no admissible evidence to support debtor's motion in response to the trustee's opposition. Sustain trustee's evidentiary objections to debtor's declaration in support of motion for the reasons stated in the objections. Debtor's declaration is not otherwise admissible evidence because it is not signed as required by FRBP 9011 and will be stricken. Moreover, debtor's declaration is not admissible evidence for lack of foundation because she recites that the declaration is in the English language and that she has limited to no understanding of the English language and apparently, the declaration may have been translated from her native language of Korean to English, assuming that this is her declaration which it may or may not be since it is unsigned. Appearances are required on 3/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Jung Ja Kim

Represented By
Donald E Iwuchuku

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

CONT... Jung Ja Kim

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

2:30 PM

2:17-24330 Jung Ja Kim

Chapter 7

#37.00 Cont'd hearing re: Application to of chapter 7 trustee to employ Neiman Realty, Inc. as real estate broker and to enter into exclusive listing agreement fr. 2/27/18

Docket 18

Tentative Ruling:

Updated tentative ruling as of 3/26/18. No tentative ruling on the merits. The court is inclined to give debtor a short period of time to discuss possible settlement with trustee before ruling on the application in light of denial of motion to convert. Appearances are required on 3/27/18, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. The court is inclined to trail the hearing on the employment application of the broker until the hearing on debtor's motion to convert, which has not been set yet by debtor in response to trustee's opposition to that motion. Appearances are required on 2/27/18 to discuss scheduling of the hearing on the motion to convert and the employment application, but counsel may appear by telephone. If debtor does not promptly notice the motion to convert for hearing, the court would proceed to rule on the employment application.

Party Information

Debtor(s):

Jung Ja Kim

Represented By
Donald E Iwuchuku

Trustee(s):

Wesley H Avery (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

3:00 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#38.00 Cont'd hearing re: Motion of plan agent to sanction 400 S. La Brea, LLC, for violations of Fed. R. Bankr. P. 9011 fr. 12/19/17, 2/20/18

Docket 257

***** VACATED *** REASON: Withdrawn per notice filed on 3/26/18-pp.**

Tentative Ruling:

Off calendar. The instant motion is moot because it pertains to the second amended cross-claims which have been superseded by the third amended cross-claims which have been allowed to be filed. No appearances are required on 3/27/18.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Douglas Christmas

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By
Alan W Forsley

ACE MUSEUM, a California

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, March 27, 2018

Hearing Room 1675

3:00 PM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Alan W Forsley

400 S La Brea, LLC a California

Represented By

Michael W Vivoli

Ashley M McDow

Michael T Delaney

Jennifer Kellen

Represented By

Jerome Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By

Victor A Sahn

Daniel A Lev

David J Richardson

Asa S Hami

Jessica Vogel

Official Committee Of Unsecured

Represented By

David J Richardson

Victor A Sahn

Sam Leslie

Represented By

Victor A Sahn

Carolyn A Dye

David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

2:12-15652 Dale Alfred Williams

Chapter 11

#1.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/25/17, 1/10/18, 2/28/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 4/25/18 at 11:30 a.m. No appearances are required on 3/27/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 3/28/18 at 11:30 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/8/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 2/28/18 at 11:30 a.m. No appearances are required on 1/10/18.

Prior tentative ruling as of 9/11/17. Off calendar. In light of the pending motion of the United States Trustee to dismiss or convert now set for hearing on 10/25/17 at 11:30 a.m., the court on its own motion continues the status conference to 10/25/17 at 11:30 a.m. No appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams
9/13/17.

Chapter 11

Prior tentative ruling as of 4/3/17. Off calendar. In light of the pendency of the litigation proceedings involving debtor's objection to the tax claims, the court on its own motion continues the status conference to 9/13/17 at 11:00 a.m. No appearances are required on 4/5/17.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/15/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/16/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/9/15. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of litigation disputes of debtor's objection to the IRS claim and creditor Rory Williams's motion to file late-filed claim. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams
telephone.

Chapter 11

Prior tentative ruling as of 12/2/14. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of debtor's objection to the IRS claim. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 8/25/14. Appearances are required on 8/27/14 to schedule a post-confirmation status conference, but counsel may appear by telephone.

Prior tentative ruling. The court continues on its own motion the status conference to 8/27/14 at 11:00 a.m. at which time the court will set a post-confirmation status conference in November 2014 since a post-confirmation status conference was not set at the confirmation hearing on 7/24/14. No appearances are required on 8/21/14

Party Information

Debtor(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

Movant(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#2.00 Cont'd hearing re: Motion for entry of order conditionally dismissing bankruptcy case fr.12/20/17, 1/24/18, 2/28/18

Docket 479

Tentative Ruling:

Updated tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. Appearances are required on 3/22/17.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. The court has concerns regarding the propriety of a "structured" dismissal (called "conditional" dismissal in the moving papers), i.e., whether the record is sufficient to warrant deviation from the normal procedures expressly provided in the Bankruptcy Code, i.e., a liquidating plan, case conversion or straight dismissal without conditions, or whether more broadly, whether structured dismissals are permitted at all, which may be at issue before the Supreme Court in *In re Jevic Holding Corp.*, 787 F.3d 173 (3rd Cir. 2015), cert. granted, *Czyzewski v. Jevic Holding Corp.* 136 S.Ct. 2541 (2016). See also, Transcript of Oral Argument, *Czyzewski v. Jevic Holding Corp.*, No. 15-649 (S.Ct., argued December 7, 2016); see also, e.g., Salerno, Hansen, Meyer, Schuster and Barsharis, *Advanced Chapter 11 Bankruptcy Practice*, Section 12.22 (2nd ed. online, 2016 Cum. Supp.); Greenberg, Smith and Taylor, "The Elephant Hiding in the Mousehole": *In re Jevic*, 2016 No. 10 Norton Bankr. L. Adviser NL 1 (online ed., October 2016); Pernick and Dean, "Structured Chapter 11 Dismissals: A Viable and Growing Alternative After Asset Sales," 29 *Am. Bankr. Inst. J.* 1 (June 2010); Eitel, Tinker and Lambert, "Structured Dismissals, or Cases Dismissed Outside of Code's Structure?", 30 *Am. Bankr. Inst. J.* 20 (March 2011). Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#3.00 CONT'D TRIAL RE: Final application for approval of compensation and expense reimbursement of Baker & Hostetler LLP fr.12/20/17, 1/24/18, 2/28/18

Docket 482

Tentative Ruling:

Updated tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... **Sarkis Investments Company, LLC**

Chapter 11

hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. Updated tentative ruling as of 5/11/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Ashley McDow. Appearances are required on 5/12/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 5/1/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Marc Benezra. Appearances are required on 5/3/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#4.00 Cont'd hearing re: Motion for approval of chapter 11 disclosure statement
fr. 12/20/17, 1/24/18, 2/28/18

Docket 157

Tentative Ruling:

Updated tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Updated tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

Updated tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 10/26/15. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/15/14. Appearances are required on 4/16/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan. Debtor has indicated that it intends to revise the disclosure statement to address objections of United States Trustee.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

Movant(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 12/20/17, 1/24/18, 2/28/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the status conference on its own motion to 12/13/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 12/13/17. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court has reviewed

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

debtor's status report. In that the court is still deliberating on the final fee application of general bankruptcy counsel for debtor, the court continues the status conference on its own motion to 10/25/17 at 1:30 p.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Updated tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

5/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

Prior tentative ruling as of 1/25/16. The court has reviewed debtor's status report. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. No tentative ruling on the merits. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

No updated tentative ruling as of 4/15/14. Appearances are required on 4/16/14.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan.

Prior tentative ruling as of 3/10/14. No tentative ruling on the merits. Appearances are required on 3/12/14, but counsel may appear by telephone.

Updated tentative ruling as of 2/24/14. No tentative ruling on the merits. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/14. The court has reviewed debtor's status report and the comments of the secured creditor on status. No tentative ruling. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 11/19/13. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 10/7/13. No tentative ruling on the merits. Appearances are required on 10/9/13.

Updated tentative ruling as of 9/18/13. Off calendar. Continued at hearing on 9/17/13 to 10/9/13 at 11:30 a.m. No appearances required on 9/18/13.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/18/13, but counsel may appear by telephone.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#6.00 Hearing re: Application for compensation of interim fees and/or expenses for Brad Weil

Docket 230

Tentative Ruling:

Approve interim fee application of general bankruptcy counsel for debtor-in-possession for the reasons stated in the fee application. Approval on an interim basis is without prejudice to the objecting creditor's ability to object to approval of the allowed fees on a final basis. Appearances are required on 3/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

Movant(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#7.00 Cont'd hearing re: Disclosure statement
fr. 12/6/17, 1/24/18, 2/21/18

Docket 94

Tentative Ruling:

Updated tentative ruling as of 3/26/18. No tentative ruling on the merits. Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits. Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. The amended disclosure statement is deficient and needs to be revised. First and foremost, no plan was attached to the disclosure statement, including Exhibits A and B, as well as the recently approved stipulation and order between debtor and secured creditor Christiana Trust. If debtor meant to attach the Plan last filed on 9/1/16, it should be updated to be accompany the amended disclosure statement. The court agrees with the objections of creditor Umbrella Investment Group that the amended disclosure statement lacks adequate information, including basic information about payment of general unsecured claims, how, what amounts and when. The last filed plan on 9/1/16 stated that general unsecured claims will be paid 100% and that debtor has rental income of \$8,300, but no information is provided as to how, when and what means to implement the plan, so creditors can evaluate feasibility. Financial projections of income and expense for the duration of the plan term are missing and should have been provided. Perhaps debtor's use of the form disclosure statement should be jettisoned, and debtor should use a narrative disclosure statement in plain English to describe what he proposes to the creditors in his plan. Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. Pending before the court is debtor's amendment to disclosure statement filed on 9/1/16, which has been noticed for hearing on 12/5/17. This amendment amends the original disclosure

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

statement filed on 11/17/15. The original disclosure statement of 11/17/15 looks like a disclosure statement whereas the amendment filed on 9/1/16 does not. The amendment looks like an add-on amendment and does not contain sufficient information to constitute a disclosure statement that the court could approve and allow to be sent out to creditors. Debtor will have to draft an updated disclosure statement that is self-contained in order for the plan to be considered by the court and creditors, and thus, the court will deny approval of the 9/1/16 amendment as debtor's disclosure statement. Appearances are required on 12/5/17 to discuss how long it will take debtor to revise his disclosure statement, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. The court has reviewed debtor's notice that tax returns have been prepared and filed, and the court expects to discuss debtor's plans for filing an amended disclosure statement. Appearances are required on 11/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits. Debtor was to address accountant's opinion regarding tax consequences of proposed property sales. Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. Debtor will need to address United States Trustee's objection regarding the estimates of income taxes needed to cover capital gains liability, but it appears that the amended disclosure statement is otherwise approvable, despite the United States Trustee's style suggestion, which the court does not agree with. Appearances are required on 9/21/16,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits.
Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits.
Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits.
Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits.
Appearances are required on 5/18/16 to address the objections of the United States Trustee and objecting creditors, but counsel (other than debtor's counsel) may appear by telephone. Debtor should be prepared to discuss the treatment of each class of creditors since the proposed plan does not make it clear (e.g., 10 monthly payments for a number of classes, but no balloon payment stated). Perhaps debtor would have an easier time in not using the optional Chapter 11 form plan and disclosure statement and prepare a manually generated plan and disclosure statement and stating the proposed terms of the plan in a narrative.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits.
Appearances are required on 3/16/16, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. Debtor to address objections of United States Trustee and creditors to draft disclosure statement regarding adequacy of information. The source of funding of plan is unclear. No historical financial data or projections are provided, which should be provided for each property as well as the debtor's business and living expenses. Since it appears that this is probably a cramdown plan situation due to the dispute over appropriate interest rates on secured claims, Debtor should be prepared to discuss how he will prove the appropriate cramdown rates of interest (i.e., is debtor submitting expert witness opinion testimony on interest rates?). Appearances are required on 1/13/16, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 12/6/17, 1/24/18, 2/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/26/18. No tentative ruling on the merits.
Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. No tentative ruling on the merits.
Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits.
Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits.
Appearances are required on 11/15/17, but counsel may appear by
telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits.
Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. No tentative ruling on the merits.
Appearances are required on 4/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits.
Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits.
Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits.
Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits.
Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits.
Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits.
Appearances are required on 5/18/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits.
Appearances are required on 3/16/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/12/16. Appearances are required on 1/13/16, but counsel may appear by telephone.

No updated tentative ruling as of 11/23/15. Appearances are required on 11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 10/19/15. Appearances are required on 10/21/15, but counsel may appear by telephone

No updated tentative ruling as of 9/15/15. Appearances are required on 9/16/15, but counsel may appear by telephone.

No updated tentative ruling as of 9/8/15. Appearances are required on 9/9/15, but counsel may appear by telephone.

Prior tentative ruling as of 8/3/15. No tentative ruling on the merits.
Appearances are required on 8/5/15, but counsel may appear by telephone.

No updated tentative ruling as of 7/20/15. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

7/22/15, but counsel may appear by telephone.

No tentative ruling as of 7/6/15. Appearances are required on 7/8/15, but counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

Movant(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#9.00 Cont'd status conference re: Management of chapter 11 case
fr. 11/1/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 3/26/18. No tentative ruling on the merits.
Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report proposing
a claims bar date of 1/24/18 with notice being served by 11/8/17 and a
disclosure statement filing deadline of 2/28/18. These dates are satisfactory,
and debtor should submit a proposed scheduling order. Appearances are
required on 11/1/17 to discuss scheduling of further proceedings, but counsel
may appear by telephone.

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

2:17-24288 Yong Xin Investment Group, LLC

Chapter 11

#10.00 Hearing re: Motion for order extending the exclusivity period under 11 U.S.C. §1121(d) and extending the period for filing a plan under 11 U.S.C. §362(d)(3)

Docket 25

Tentative Ruling:

Assuming the court does not grant creditors' pending stay relief motion under 11 U.S.C. 362(d)(3), grant motion to extend plan exclusivity under 11 U.S.C. 1121(d) because cause to extend plan exclusivity for a short period of time, about 90 days, to 7/1/18 is shown by debtor marketing the property "as is," proceeding with claims resolution process by having a bar date set, attempting to obtain LADRP approval of a final subdivision map and this is the first request to extend exclusivity. Granting a first extension of plan exclusivity does not necessarily favor further extensions unless debtor makes specific progress in either marketing the property or obtaining land use approvals to develop the real property. Appearances are required on 3/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Yong Xin Investment Group, LLC

Represented By
James S Yan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#10.10 Hearing re: Motion for approval of fourth stipulation for use of cash collateral

Docket 190

Tentative Ruling:

Grant debtor's motion for approval of fourth stipulation for use of cash collateral for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 3/27/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, March 28, 2018

Hearing Room 1675

11:30 AM

2:11-53086 Derrick Darone Lightfoot

Chapter 11

#11.00 Hearing re: Debtor's motion to administratively close, discharge, and enter final decree in individual chapter 11 case

Docket 242

Tentative Ruling:

No tentative ruling as of 3/26/18. Appearances are required on 3/28/18.

Party Information

Debtor(s):

Derrick Darone Lightfoot

Represented By
Sylvia Lew
Michael Avanesian

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, March 30, 2018

Hearing Room 1675

9:00 AM

2:17-17336 Kathleen Cappel

Chapter 7

#1.00 EVIDENTIARY HEARING RE: Motion under 11 U.S.C. §110 for disgorgement of fees against bankruptcy petition preparer Charles Taylor and Legal Resource Solutions fr. 10/24/17, 12/5/17

Docket 19

Tentative Ruling:

Updated tentative ruling as of 3/22/18. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 3/30/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Based on the response and reply papers, the court will set an evidentiary hearing on the motion. Appearances are required on 1/31/18 to discuss scheduling.

Prior tentative ruling as of 12/4/17. See tentative ruling for matter number 6. Appearances are required on 12/5/17.

Prior tentative ruling. Given the magnitude of the fines requested in the motion, the court will order United States Trustee to serve on respondent by personal delivery a copy of the moving papers with a new notice of hearing. The court will set the matter for an evidentiary hearing, and the United States Trustee will be ordered to subpoena the debtor as the complaining witness to testify. The court can issue a scheduling order to assist the United States Trustee. Appearances are required on 10/24/17.

Party Information

Debtor(s):

Kathleen Cappel

Pro Se

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 2, 2018

Hearing Room 1675

10:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#1.00 Cont'd hearing re: Application to convert case to chapter 7 based upon debtor's failure to comply with prior court order fr. 2/28/18, 3/21/18

Docket 314

Tentative Ruling:

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

No tentative ruling as of 2/26/18. Appearances are required on 2/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 2, 2018

Hearing Room 1675

10:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#2.00 Cont'd hearing re: Motion to value collateral supporting claim 7-1
[11 U.S.C. §506(a), FRBP 3012]
fr. 1/9/18, 2/28/18, 3/21/18

Docket 223

Tentative Ruling:

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the hearing on 11/2/17 will be treated as a status conference. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 2, 2018

Hearing Room 1675

10:00 AM

CONT...

Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 2, 2018

Hearing Room 1675

10:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#3.00 Cont'd hearing re: Motion to modify plan
fr. 1/9/18, 2/28/18, 3/21/18

Docket 263

Tentative Ruling:

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 and the related motion to modify plan set for 11/2/17 at 9:00 a.m. will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 2, 2018

Hearing Room 1675

10:00 AM

CONT...

Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 2, 2018

Hearing Room 1675

10:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#4.00 Cont'd status conference re: Confirmation of plan
fr. 1/9/18, 2/28/18, 3/21/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 2, 2018

Hearing Room 1675

10:00 AM

CONT...

Swing House Rehearsal and Recording, Inc.

Kurt Ramlo

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 2, 2018

Hearing Room 1675

10:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/9/18, 2/28/18, 3/21/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/30/17. No tentative ruling on the merits. Appearances are required on 11/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 2, 2018

Hearing Room 1675

10:00 AM

CONT... Swing House Rehearsal and Recording, Inc. Chapter 11

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.
Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 1/11/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 2, 2018

Hearing Room 1675

10:00 AM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/9/18, 2/28/18, 3/21/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/17. No tentative ruling on the merits. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/11/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 2, 2018

Hearing Room 1675

10:00 AM

CONT... Philip Joseph Jaurigui Chapter 11

Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 1/11/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 2, 2018

Hearing Room 1675

10:00 AM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

Adv#: 2:17-01245 7175 WB, LLC v. Jaurigui

#7.00 Cont'd status conference re: Complaint to determine nondischargeability of debt (11 U.S.C. §§523(a)(2) and (a)(6)) fr. 1/9/18, 2/28/18, 3/21/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Updated tentative ruling as of 11/6/17. No tentative ruling on the merits. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 2, 2018

Hearing Room 1675

10:00 AM

CONT... Philip Joseph Jaurigui Chapter 11

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/27/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

7175 WB, LLC

Represented By
Michael D Good

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

10:30 AM

2:17-25338 Nanette Beverly Durrett

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(American Honda Finance Corporation VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Nanette Beverly Durrett

Represented By
Sundee M Teeple
Craig K Streed

Movant(s):

AMERICAN HONDA FINANCE

Represented By
Vincent V Frounjian

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

10:30 AM

CONT... Nanette Beverly Durrett

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

10:30 AM

2:18-11032 Karina Nieto

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)

Docket 8

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Karina Nieto

Represented By
Michael H Colmenares

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

10:30 AM

2:18-11148 Jong J Kim and Sun Y Kim

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtors)

Docket 22

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Jong J Kim

Represented By
M Teri Lim

Joint Debtor(s):

Sun Y Kim

Represented By
M Teri Lim

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

1:30 PM

2:16-26739 Kyong Don Chu

Chapter 7

Adv#: 2:17-01223 Nextwave Enterprises LLC v. Chu

#4.00 Hearing re: Plaintiff's motion for default judgment under LBR 7055-1
fr. 2/13/18

Docket 19

Tentative Ruling:

Updated tentative ruling as of 4/2/18. After reviewing the supplemental papers, the court believes that they are not sufficient to demonstrate the transfer of the subject property was fraudulent, and the court will set a hearing for plaintiff to offer evidence to prove up the fraudulent transfer, such as eyewitness testimony that defendant is continuing to operate his business and otherwise exercise dominion and control over the transferred property to deem it to be his. The court is considering ordering plaintiff to serve defendant with a subpoena to appear at the prove up hearing. Appearances are required on 4/3/18, but counsel may appear by telephone.

Prior tentative ruling. The court on its own motion is continuing the hearing and status conference to 4/3/18 at 1:30 p.m. for plaintiff to file supplemental briefing to demonstrate that the elements of a claim for fraudulent transfer either under state and/or federal law has been met setting forth the factual basis for the court to grant the motion for default judgment on its claims under 11 U.S.C. 523(a)(2)(A) and (a)(6). Plaintiff must file its supplemental brief citing the elements of a fraudulent transfer claim under state and/or federal law and any supplemental evidence showing that all of the elements of a fraudulent transfer claim has been met by 3/13/18. No appearances are required on 2/13/18.

Party Information

Debtor(s):

Kyong Don Chu

Represented By
M Teri Lim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

1:30 PM

CONT... Kyong Don Chu

Chapter 7

Defendant(s):

Kyong Don Chu

Pro Se

Plaintiff(s):

Nextwave Enterprises LLC

Represented By
Ronald P Slates
Jesse Yanco

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

1:30 PM

2:16-26739 Kyong Don Chu

Chapter 7

Adv#: 2:17-01223 Nextwave Enterprises LLC v. Chu

#5.00 Cont'd status conference re: Complaint for nondischargeability for: 1) Debts incurred through false pretenses, false representation or actual fraud under 11 U.S.C. §523(a)(2)(A); 2) Debts incurred through willful and malicious injury to property under 11 U.S.C. § 523(a)(6)
fr. 11/28/17, 11/28/17, 12/19/17, 2/13/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/2/18. See tentative ruling for matter number 4.

Prior tentative ruling as of 2/12/18. Off calendar. The court on its own motion is continuing the hearing and status conference to 4/3/18 at 1:30 p.m. for plaintiff to file supplemental briefing to demonstrate that the elements of a claim for fraudulent transfer either under state and/or federal law has been met setting forth the factual basis for the court to grant the motion for default judgment on its claims under 11 U.S.C. 523(a)(2)(A) and (a)(6). Plaintiff must file its supplemental brief citing the elements of a fraudulent transfer claim under state and/or federal law and any supplemental evidence showing that all of the elements of a fraudulent transfer claim has been met by 3/13/18. No appearances are required on 2/13/18.

Prior tentative ruling as of 12/18/17. No tentative ruling on the merits. Appearances are required on 12/19/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Updated tentative ruling as of 9/11/17. The court has reviewed plaintiff's unilateral status report, again stating that default has been entered against defendant and that plaintiff is preparing a motion for default judgment.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

1:30 PM

CONT... Kyong Don Chu

Chapter 7

Appearances are required on 9/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/5/17. The court has reviewed plaintiff's unilateral status report, stating that default has been entered against defendant and that plaintiff is preparing a motion for default judgment. The court on its own motion continues the status conference to 9/12/17 at 1:30 p.m. No appearances are required on 6/6/17.

Party Information

Debtor(s):

Kyong Don Chu

Represented By
M Teri Lim

Defendant(s):

Kyong Don Chu

Pro Se

Plaintiff(s):

Nextwave Enterprises LLC

Represented By
Ronald P Slates
Jesse Yanco

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

1:30 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#6.00 Status conference re: Removal of state court action to the United States Bankruptcy Court, Central District, Los Angeles Division

Docket 1

Tentative Ruling:

Off calendar. The court continues the status conference on its own motion to 5/1/18 at 3:00 p.m. to be conducted with the further hearings on defendants' motion to dismiss and in light of plaintiffs' consideration of filing a motion for authorization to prosecute the fraudulent transfer claims on behalf of the estate. No appearances are required on 4/3/18.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Pro Se

Michael Beom Lee

Pro Se

Sam Kim

Pro Se

Yoon Lee

Pro Se

Chang Won Choi

Pro Se

Joon Rhee

Pro Se

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

2:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#7.00 Hearing re: Plaintiff/creditor James Lee Clark's motion for an order for sanctions including terminating sanctions against defendant/debtor Rita Ellison-Farris

Docket 362

***** VACATED *** REASON: Cont'd from 4/3/18 to 4/10/18 at 2:30 p.m.
per order entered on 3/29/18-mb.**

Tentative Ruling:

Off calendar. Continued to 4/10/18 at 2:30 p.m. by prior order of the court.
No appearances are required on 4/3/18.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

2:30 PM

2:14-21532 TIFKAH

Chapter 7

#8.00 Hearing re: Trustee's motion for order disallowing claim no. 42 filed by Rebecca Gerten-Ferreira as a priority claim and allowing claim no. 42 as a general unsecured claim

Docket 342

***** VACATED *** REASON: Withdrawn per notice filed on 3/22/18-mb.**

Tentative Ruling:

Off calendar. Motion withdrawn by notice filed on 3/22/18. No appearances are necessary.

Party Information

Debtor(s):

TIFKAH

Represented By
Jon L Dalberg

Trustee(s):

John J Menchaca (TR)

Represented By
Uzzi O Raanan ESQ
Steven J Schwartz
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

2:30 PM

2:14-21532 TIFKAH

Chapter 7

#9.00 Hearing re: Trustee's objection to (1) claim no. 87 filed by Jamie Glater; and (2) claim no. 102 filed by Louie Avila

Docket 344

Tentative Ruling:

Sustain trustee's objection to claim of Louie Avila for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 4/3/18, but counsel may appear by telephone. If no appearances are made, the court will approve the proposed order sustaining the objection.

Trustee's objection to claim of Jaime Glater is off calendar, having been resolved by stipulation and order.

Party Information

Debtor(s):

TIFKAH

Represented By
Jon L Dalberg

Trustee(s):

John J Menchaca (TR)

Represented By
Uzzi O Raanan ESQ
Steven J Schwartz
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

2:30 PM

2:17-23602 Jaime Ochoa and Jessica Garcia

Chapter 7

#9.10 Cont'd hearing re: Motion under 11 U.S.C. §110 for fines against Bankruptcy petition preparer: Albert G. Otritz, Tax Guy albert Inc. Tax Guy Albert Downey Inc. and Tax Guy Downey LLC
fr. 3/20/18

Docket 12

Tentative Ruling:

Updated tentative ruling as of 4/2/18. No tentative ruling on the merits. Appearances are required on 4/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. The case of In re Carrier, 313 B.R. 247, 252 (Bankr. M.D. Fla. 2006) cited in the moving papers to support one of the violations does not exist or is erroneously cited. Appearances are required on 3/20/18.

Party Information

Debtor(s):

Jaime Ochoa Pro Se

Joint Debtor(s):

Jessica Garcia Pro Se

Movant(s):

United States Trustee (LA) Represented By
Ron Maroko

Trustee(s):

Heide Kurtz (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

3:00 PM

2:12-14433 Arkland Investment LLC

Chapter 7

Adv#: 2:17-01479 Kurtz v. SIXTH AND VIRGIL, LLC et al.

#10.00 Hearing re: Daniel Nieman's motion to dismiss claims of all Universal Bank and joinder in motion to dismiss of Park & Velayos LLP

Docket 77

Tentative Ruling:

No tentative ruling as of 4/2/18. Appearances are required on 4/3/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Arkland Investment LLC

Represented By
Jeremy Faith
Elizabeth Jiang

Defendant(s):

SIXTH AND VIRGIL, LLC et al.

Pro Se

Plaintiff(s):

Heidi Kurtz

Pro Se

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 3, 2018

Hearing Room 1675

3:00 PM

2:12-14433 Arkland Investment LLC

Chapter 7

Adv#: 2:17-01479 Kurtz v. SIXTH AND VIRGIL, LLC et al.

#11.00 Hearing re: Motion to dismiss second amended motion of Universal Bank

Docket 74

Tentative Ruling:

No tentative ruling as of 4/2/18. Appearances are required on 4/3/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Arkland Investment LLC

Represented By
Jeremy Faith
Elizabeth Jiang

Defendant(s):

SIXTH AND VIRGIL, LLC et al.

Pro Se

Plaintiff(s):

Heidi Kurtz

Pro Se

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

9:00 AM

2:13-39318 Armen Sanamyan

Chapter 7

#1.00 EVIDENTIARY HEARING RE: Trustee's final report and account;
Application for fees and expenses
[Howard M. Ehrenberg, Chapter 7 Trustee]
fr. 1/9/18

Docket 92

Tentative Ruling:

Updated tentative ruling as of 4/2/18. No tentative ruling on the merits will be issued for the evidentiary hearing. Appearances are required on 4/4/18.

Prior tentative ruling. In light of objection of creditor Armen T. Tashjian, appearances are required on 1/9/18 to discuss scheduling of an evidentiary hearing on the objection and on the fee application of creditor Tashjian, which trustee has objected to, but counsel may appear by telephone. Creditor Tashjian will have to give proper notice of his fee application, or otherwise, the court will disapprove his fee application for lack of notice.

Party Information

Debtor(s):

Armen Sanamyan

Represented By
John Habashy

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jessica Vogel
Steven Werth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

9:00 AM

2:13-39318 Armen Sanamyan

Chapter 7

#2.00 EVIDENTIARY HEARING RE: Application for fees and expenses
[SulmeyerKupetz, Attorney for Chapter 7 Trustee]
fr. 1/9/18

Docket 90

Tentative Ruling:

Updated tentative ruling as of 4/2/18. No tentative ruling on the merits will be issued for the evidentiary hearing. Appearances are required on 4/4/18.

Prior tentative ruling . In light of objection of creditor Armen T. Tashjian, appearances are required on 1/9/18 to discuss scheduling of an evidentiary hearing on the objection and on the fee application of creditor Tashjian, which trustee has objected to, but counsel may appear by telephone. Creditor Tashjian will have to give proper notice of his fee application, or otherwise, the court will disapprove his fee application for lack of notice.

Party Information

Debtor(s):

Armen Sanamyan

Represented By
John Habashy

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jessica Vogel
Steven Werth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

9:00 AM

2:13-39318 Armen Sanamyan

Chapter 7

#3.00 Hearing re: First and final application of the Law Offices of Armen M. Tashjian pursuant to 11 USC Section 330 as special counsel for the chapter 7 estate of debtor Armen Sanamyan

Docket 97

Tentative Ruling:

No tentative ruling on the merits will be issued for the evidentiary hearing.
Appearances are required on 4/4/18.

Party Information

Debtor(s):

Armen Sanamyan

Represented By
John Habashy

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jessica Vogel
Steven Werth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:00 AM

2:12-16456 GSM Wireless Inc

Chapter 11

#4.00 Hearing re: Application for chapter 11 trustee, Steven M. Speier, fees and expenses

Docket 1115

Tentative Ruling:

Approve final report and fee application of Chapter 11 trustee for the reasons stated in the final report and for lack of timely written objection. Appearances are optional on 4/4/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

GSM Wireless Inc

Represented By
Evan D Smiley
Hutchison B Meltzer
Philip E Strok
Lisa P. Grassi
Thomas H Petrides
Winthrop Couchot Professional Corporation

Trustee(s):

Steven M Speier (TR)

Represented By
Robert P Goe
Steven M Speier

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:00 AM

2:17-24478 Julie Gamido

Chapter 11

#5.00 Cont'd hearing re: Motion for order determining value of collateral (real property located at 8268 Yarrow Lane, Riverside, CA 92508) fr. 1/31/18, 2/21/18

Docket 28

***** VACATED *** REASON: Withdrawn per notice filed on 3/24/18-pp.**

Tentative Ruling:

Updated tentative ruling as of 4/2/18. It appears that the hearing is moot because debtor withdrew the motion by notice filed on 3/24/18. If there is an objection to the withdrawal, appearances are required, but otherwise, appearances are optional on 4/4/18.

Prior tentative ruling. Continued by stipulation and order to 4/4/18 at 11:00 a.m. No appearances are required on 2/21/18.

Party Information

Debtor(s):

Julie Gamido

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:00 AM

2:17-24478 Julie Gamido

Chapter 11

#6.00 Status hearing re: Motion in individual case for order imposing a stay or continuing the automatic stay as the court deems appropriate
fr. 12/19/17, 2/6/18, 2/21/18

Docket 9

Tentative Ruling:

Updated tentative ruling as of 4/2/18. It appears that the hearing on the motion to continue stay is moot since debtor and creditor Bayview Loan Servicing have stipulated to vacating the stay as to the Riverside rental property and the stay otherwise remains in effect by prior orders of the court. Appearances are optional on 4/4/18, but counsel may appear by telephone.

Off calendar. Continued by stipulation and order to 4/4/18 at 11:00 a.m. No appearances are required on 2/21/18.

Prior tentative ruling as of 2/16/18. Off calendar. Continued by stipulation and order to 4/4/18 at 11:00 a.m. No appearances are required on 2/21/18.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/6/18, but counsel may appear by telephone.

No tentative ruling will be issued on the motion heard on shortened notice. Appearances are required on 12/17/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Julie Gamido

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#6.10 Cont'd hearing re: Disclosure statement
fr. 1/24/18, 2/21/18, 3/28/18

Docket 94

Tentative Ruling:

Updated tentative ruling as of 4/2/18. No tentative ruling on the merits.
Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits.
Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. The amended disclosure statement is deficient and needs to be revised. First and foremost, no plan was attached to the disclosure statement, including Exhibits A and B, as well as the recently approved stipulation and order between debtor and secured creditor Christiana Trust. If debtor meant to attach the Plan last filed on 9/1/16, it should be updated to be accompany the amended disclosure statement. The court agrees with the objections of creditor Umbrella Investment Group that the amended disclosure statement lacks adequate information, including basic information about payment of general unsecured claims, how, what amounts and when. The last filed plan on 9/1/16 stated that general unsecured claims will be paid 100% and that debtor has rental income of \$8,300, but no information is provided as to how, when and what means to implement the plan, so creditors can evaluate feasibility. Financial projections of income and expense for the duration of the plan term are missing and should have been provided. Perhaps debtor's use of the form disclosure statement should be jettisoned, and debtor should use a narrative disclosure statement in plain English to describe what he proposes to the creditors in his plan. Appearances are required on 1/24/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Prior tentative ruling as of 12/4/17. Pending before the court is debtor's amendment to disclosure statement filed on 9/1/16, which has been noticed for hearing on 12/5/17. This amendment amends the original disclosure statement filed on 11/17/15. The original disclosure statement of 11/17/15 looks like a disclosure statement whereas the amendment filed on 9/1/16 does not. The amendment looks like an add-on amendment and does not contain sufficient information to constitute a disclosure statement that the court could approve and allow to be sent out to creditors. Debtor will have to draft an updated disclosure statement that is self-contained in order for the plan to be considered by the court and creditors, and thus, the court will deny approval of the 9/1/16 amendment as debtor's disclosure statement. Appearances are required on 12/5/17 to discuss how long it will take debtor to revise his disclosure statement, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. The court has reviewed debtor's notice that tax returns have been prepared and filed, and the court expects to discuss debtor's plans for filing an amended disclosure statement. Appearances are required on 11/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits. Debtor was to address accountant's opinion regarding tax consequences of proposed property sales. Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. Debtor will need to address United States Trustee's objection regarding the estimates of income taxes needed to cover

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins Chapter 11

capital gains liability, but it appears that the amended disclosure statement is otherwise approvable, despite the United States Trustee's style suggestion, which the court does not agree with. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits. Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits. Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits. Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits. Appearances are required on 5/18/16 to address the objections of the United States Trustee and objecting creditors, but counsel (other than debtor's counsel) may appear by telephone. Debtor should be prepared to discuss the treatment of each class of creditors since the proposed plan does not make it clear (e.g., 10 monthly payments for a number of classes, but no balloon payment stated). Perhaps debtor would have an easier time in not using the optional Chapter 11 form plan and disclosure statement and prepare a manually generated plan and disclosure statement and stating the proposed terms of the plan in a narrative.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits. Appearances are required on 3/16/16, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. Debtor to address objections of United States Trustee and creditors to draft disclosure statement regarding adequacy of information. The source of funding of plan is unclear. No historical financial data or projections are provided, which should be provided for each property as well as the debtor's business and living expenses. Since it appears that this is probably a cramdown plan situation due to the dispute over appropriate interest rates on secured claims, Debtor should be prepared to discuss how he will prove the appropriate cramdown rates of interest (i.e., is debtor submitting expert witness opinion

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins Chapter 11
testimony on interest rates?) . Appearances are required on 1/13/16, but
counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#6.20 Cont'd status conference re: Management of chapter 11 case
fr. 1/24/18, 2/21/18, 3/28/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/2/18. No tentative ruling on the merits.
Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits.
Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. No tentative ruling on the merits.
Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits.
Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits.
Appearances are required on 11/15/17, but counsel may appear by
telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits.
Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. No tentative ruling on the merits.
Appearances are required on 4/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits.
Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins Chapter 11

Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits.
Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits.
Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits.
Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits.
Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits.
Appearances are required on 5/18/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits.
Appearances are required on 3/16/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/12/16. Appearances are required on 1/13/16, but counsel may appear by telephone.

No updated tentative ruling as of 11/23/15. Appearances are required on 11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 10/19/15. Appearances are required on 10/21/15, but counsel may appear by telephone

No updated tentative ruling as of 9/15/15. Appearances are required on 9/16/15, but counsel may appear by telephone.

No updated tentative ruling as of 9/8/15. Appearances are required on 9/9/15, but counsel may appear by telephone.

Prior tentative ruling as of 8/3/15. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins Chapter 11

Appearances are required on 8/5/15, but counsel may appear by telephone.

No updated tentative ruling as of 7/20/15. Appearances are required on 7/22/15, but counsel may appear by telephone.

No tentative ruling as of 7/6/15. Appearances are required on 7/8/15, but counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

Movant(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:30 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

Adv#: 2:15-01679

THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#7.00 Hearing re: Motion of plan agent to dismiss third amended crossclaims filed by 400 S. La Brea, LLC against Sam Leslie, as trustee of the plan trust for and Art & Architecture Books of The 21st Century, and against Art & Architecture Books of The 21st Century

Docket 320

Tentative Ruling:

No tentative ruling as of 4/2/18. Appearances are required on 4/4/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Douglas Christmas

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By
Alan W Forsley

ACE MUSEUM, a California

Represented By
Alan W Forsley

400 S La Brea, LLC a California

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:30 AM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Michael W Vivoli
Ashley M McDow
Michael T Delaney

Jennifer Kellen

Represented By
J. Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:30 AM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11
Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#8.00 Cont'd hearing re: Motion of plan agent for preliminary injunction pursuant to Fed. R. Civ. P. 65 and Fed. R. Bankr. P. 7065 against defendant 400 S. La Brea, LLC fr. 11/14/17, 11/28/17, 1/23/18, 3/6/18, 3/7/18

Docket 215

Tentative Ruling:

Updated tentative ruling as of 4/2/18. No tentative ruling on the merits. Appearances are required on 4/4/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/5/18. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17 to discuss scheduling of the evidentiary hearing on the motion, but counsel may appear by telephone.

Prior tentative ruling. The court intends to set an evidentiary hearing on plaintiff's motion for preliminary injunction and will treat the hearing as a status conference to discuss scheduling. As the party seeking preliminary injunctive relief, plaintiff has the burden of persuasion for such relief, and "[b]ecause a preliminary injunction is an extraordinary remedy, courts require the movant to carry its burden of persuasion by a " 'clear showing.'" 3 O'Connell and Stevenson, *Rutter Group Practice Guide: Federal Civil Procedure Before Trial*, ¶¶ 13:159 and 13:159.1 at 13-87 (Ninth Circuit and California edition 2017), citing, *West Point-Pepperill, Inc. v. Donovan*, 689 F.2d 950, 956 (11th Cir. 1982); *Mazurek v. Armstrong*, 520 U.S. 968, 972 (1997); and *Towery v. Brewer*, 672 F.3d 650, 657 (9th Cir. 2012). The court is of the opinion that it should conduct an evidentiary hearing and take live testimony in this case because "[i]t may be an abuse of discretion to refuse live testimony where facts are bitterly contested and credibility determinations must be made to decide whether injunctive relief should

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:30 AM

CONT... **Art and Architecture Books of the 21st Century** **Chapter 11**

issue." 3 O'Connell and Stevenson, *Rutter Group Practice Guide: Federal Civil Procedure Before Trial*, ¶ 13:163 at 13-87 – 13-88, citing, *McDonald's Corp. v. Robertson*, 147 F.3d 1301, 1312 (11th Cir. 1998); *Charette v. Town of Oyster Bay*, 159 F.3d 749, 755 (2nd Cir. 1998); *Cobell v. Norton*, 391 F.3d 251, 261 (D.C. Cir. 2004)("circumstances and interests at stake" determine whether abbreviated or more extensive evidentiary hearing required). The amounts at issue (approximately \$4.9 million in unauthorized payments of debtor's funds claimed by plaintiff to have been made to defendant 400 S. LaBrea, LLC), the severity of the restrictions on alienation of the subject property and use of revenue derived therefrom proposed in plaintiff's motion and the factual allegations of the parties are bitterly contested all indicate "circumstances and interests at stake" that the court should conduct an evidentiary hearing on the motion. *Id.*; see also, 3 O'Connell and Stevenson, *Rutter Group Practice Guide: Federal Civil Procedure Before Trial*, ¶ 13:163.1 at 13-88, citing *inter alia*, *Aguirre v. Chula Vista Sanitary Service & Sani-Tainer, Inc.*, 542 F.2d 779, 781 (9th Cir. 1976).

The factual and legal issues contested on the motion center on the applicability of the Ninth Circuit's recent decision and opinions in *Matter of Walldesign, Inc.*, 872 F.3d 954, 963 (9th Cir. 2017) regarding the reiteration of the adoption of the so-called "dominion" test to determine whether a transferee is an "initial" or "intermediate or mediate" transferee under 11 U.S.C. § 550(a)(1) or (2). As the majority stated in *Walldesign*, "[u]nder the dominion test, "a transferee is one who ... has dominion over the money or other asset,"—in other words, one with "the right to put the money to one's own purposes." 872 F.3d at 963, citing, *In re Mortgage Store, Inc.*, 773 F.3d 990, 995 (9th Cir. 2014), quoting, *In re Incomnet, Inc.*, 463 F.3d 1064, 1070 (9th Cir. 2006). The *Walldesign* majority further stated: "The 'key[s]' to this test are "'whether the recipient of funds has legal title to them' and whether the recipient has 'the ability to use [the funds] as he sees fit.'" *Id.*, quoting, *In re Incomnet, Inc.*, 463 F.3d at 1071. The majority further stated: "We further explained that, "an individual will have dominion over a transfer if, for example, he is 'free to invest the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:30 AM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

whole [amount] in lottery tickets or uranium stocks'" and "The first party to establish dominion over the funds after they leave the transferor is the initial transferee; other transferees are subsequent transferees." *Id.*, quoting, *In re Bonded Financial Services, Inc. v. European American Bank*, 838 F.2d 890, 894 (7th Cir. 1988) (citations omitted). The parties dispute whether the evidence offered by plaintiff "clearly shows" that defendant 400 S. LaBrea, LLC is the initial transferee of the funds of debtor paid on behalf of defendant Ace Museum as rent (i.e., whether the funds transferred by debtor to Ace Museum through loans or otherwise gave Ace Museum dominion over the funds, and whether such loan is now cancelled through a settlement, either of these circumstances would show that Ace Museum was the initial transferee and 400 S. LaBrea, LLC as the mediate or intermediate transferee, and whether as a mediate or intermediate transferee, 400 S. LaBrea, LLC, received the transfers in good faith and for value).

Moreover, the parties dispute whether the evidence "clearly shows" whether "it is fair to view [400 LaBrea, LLC] as the initial transferee[] since [it] 'receive[d] funds directly from [the] debtor, and thus, [its] 'capacity [and burden] to monitor . . . [were] at [their] greatest.'" *In re Walldesign, Inc.*, 872 F.3d at 968, quoting, *In re Video Depot, Ltd.*, 127 F.3d 1195, 1199 (9th Cir. 1997). This passage from the majority opinion in *Walldesign* suggests that whether a transferee had "indications" of irregularities in the subject transfers is relevant to the inquiry of whether a transferee is "initial" or "intermediate." The parties dispute whether defendant 400 S. LaBrea, LLC knew or had reason to know that the transfers were improper transfers from the debtor, thus indicating that an evidentiary hearing is needed to determine whether plaintiff has met his burden of persuasion clearly showing entitlement to relief.

An evidentiary hearing is also needed to determine the degree of irreparable harm to plaintiff and the prejudice to other parties, including 400 S. LaBrea, LLC, in that there are wide disparities in the positions of the parties as to the degree of harm which would be suffered if relief were or were not granted, and how the party adversely affected by the granting or

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:30 AM

CONT... Art and Architecture Books of the 21st Century Chapter 11

denial of relief would be protected, such as a bond if relief were granted to protect 400 S. LaBrea, LLC, which asserts the need for a \$4.8 million bond from plaintiff to protect it from potential damages from the relief sought.

Appearances are required on 11/14/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Douglas Christmas

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By
Alan W Forsley

ACE MUSEUM, a California

Represented By
Alan W Forsley

400 S La Brea, LLC a California

Represented By
Kenderton S Lynch
Michael W Vivoli
Ashley M McDow
Michael T Delaney

Jennifer Kellen

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:30 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Jerome Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:30 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#9.00 Cont'd status conference re: Complaint for: (1) Avoidance, recovery, and preservation of fraudulent transfers; (2) Avoidance, recovery, and preservation of preferential transfers; (3) Turnover of property; (4) Avoidance and recovery of transfers; (5) Avoidance and recovery of post-petition transfers to defendant ACE Gallery New York Corporation; and (6) Disallowance of claims
fr. 1/23/18, 3/6/18, 3/7/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/2/18. No tentative ruling on the merits.
Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits.
Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits.
Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/25/17, but counsel may appear by telephone.

No updated tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/13/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the joint status

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

11:30 AM

CONT... **Art and Architecture Books of the 21st Century** **Chapter 11**

report. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings in light of the anticipated motion to consolidate related actions, but counsel may appear by telephone.

Prior tentative ruling as of 6/20/16. No tentative ruling on the merits. Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/25/16. Off calendar. The court has reviewed plan agent's unilateral status report stating that the deadline for defendant's response was extended to 4/29/16 and that the matter is not yet at issue, and the court on its own motion continues the status conference to 6/21/16 at 1:30 p.m. pending defendant's response to the complaint. No appearances are required on 4/26/16.

No tentative ruling as of 2/22/16. Appearances are required on 2/23/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Ron Bender
Beth Ann R Young
Krikor J Meshefejian
Kurt Ramlo
David W. Meadows

Defendant(s):

Ace Gallery New York Corporation,

Pro Se

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01083 Diamond, Chapter 7 Trustee, Plaintiff v. Rana

- #10.00** Cont'd status conference re: Complaint (1) To avoid and recover preferential transfers;
(2) To avoid and recover fraudulent or avoidable transfers; (3) For imposition
of constructive trust; (4) For unjust enrichment; (5) For turnover; and
(6) To disallow claims
fr. 5/23/17, 7/25/17, 9/5/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/3/18. Off calendar. The court has reviewed the joint status report stating that the matter is settled and requesting a continuance of 90 to 120 days. The court on its own motion continues the status conference to 7/31/18 at 1:30 p.m., and a joint status report is due on 7/24/18. No appearances are required on 4/4/18, and counsel for plaintiff to notify counsel for defendant of the continuance.

No updated tentative ruling as of 9/1/17. Appearances are required on 9/5/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report advising that the matter is being settled. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Off calendar. The court has reviewed the joint status report requesting a 60 day continuance of the status conference for the parties to consummate their settlement. The court on its own motion continues the status conference to 7/25/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 5/23/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

1:30 PM

CONT... **Corona Care Convalescent Corporation**

Chapter 7

Revised tentative ruling as of 3/20/17. Off calendar. The court has reviewed the joint status report as well as the supplement filed on 3/17/17 reporting that the parties reached a settlement during mediation and requesting a 60 day continuance of the status conference. The court on its own motion continues the status conference to 5/23/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling. Set discovery cutoff date of 12/31/16 and a further status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation, parties to submit request for selection of mediator and alternate by 7/31/16, and complete mediation by 1/17/16. If the parties agree to these dates, appearances are optional on 4/26/16, and plaintiff to submit proposed scheduling order within 7 days of hearing if the parties agree to these dates. If the parties do not agree to these rulings and dates or if parties wish to discuss status of matter at status conference, appearances are required on 4/26/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Aj Rana

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01158 Diamond v. Vital Rehab Services, Inc.

- #11.00** Cont'd status conference re: Complaint: (1) To avoid and recover post petition transfers; (2) For imposition of constructive trust; (3) For unjust enrichment; (4) For turnover; and (5) To disallow claims
fr. 5/23/17, 7/25/17, 9/5/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/3/18. Off calendar. The court has reviewed the joint status report stating that the matter is settled and requesting a continuance of 90 to 120 days. The court on its own motion continues the status conference to 7/31/18 at 1:30 p.m., and a joint status report is due on 7/24/18. No appearances are required on 4/4/18, and counsel for plaintiff to notify counsel for defendant of the continuance.

No updated tentative ruling as of 9/1/17. Appearances are required on 9/5/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report advising that the matter is being settled. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Off calendar. The court has reviewed the joint status report requesting a 60 day continuance of the status conference for the parties to consummate their settlement. The court on its own motion continues the status conference to 7/25/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 5/23/17.

Revised tentative ruling as of 3/20/17. Off calendar. The court has reviewed

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation Chapter 7

the joint status report as well as the supplement filed on 3/17/17 reporting that the parties reached a settlement during mediation and requesting a 60 day continuance of the status conference. The court on its own motion continues the status conference to 5/23/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 9/30/16 and to complete mediation by 1/17/17. Appearances are required on 5/24/16, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Vital Rehab Services, Inc.

Pro Se

Plaintiff(s):

Richard K. Diamond

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 4, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, April 5, 2018

Hearing Room 1675

9:00 AM

2:17-14293 Maria Edi Dominguez

Chapter 7

Adv#: 2:17-01348 LOANME, INC., a California corporation v. Dominguez

#1.00 TRIAL RE: Complaint to determine nondischargeability of debt
fr. 9/12/17, 9/26/17

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on
1/19/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/2/18. Off calendar. Dismissed by stipulation and order entered on 1/19/18. No appearances are required on 4/5/18.

Prior tentative ruling as of 9/25/17. No tentative ruling on the merits. Appearances are required on 9/26/17, but counsel may appear by telephone.

The court has reviewed plaintiff's unilateral status report stating that plaintiff's counsel has not been able to reach defendant by telephone despite several attempts resulted in busy signals. No tentative ruling on the merits. Appearances are required on 9/12/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Maria Edi Dominguez	Pro Se
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Defendant(s):

Maria Edi Dominguez	Pro Se
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Plaintiff(s):

LOANME, INC., a California	Represented By Kelly Ann M Tran
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Trustee(s):

David M Goodrich (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, April 5, 2018

Hearing Room 1675

10:00 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 11

#2.00 Final hearing re: Emergency motion for interim order authorizing use of cash collateral, granting adequate protection, and setting further hearings on final use of cash collateral fr. 3/19/18

Docket 10

Tentative Ruling:

Updated tentative ruling as of 4/4/18. Off calendar. Continued by stipulation and order to 6/27/18 at 11:00 a.m. [note change in date and time from what was proposed]. No appearances are required on 4/5/18.

No tentative ruling will be issued for the matter heard on shortened notice. Appearances are required on 3/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, April 6, 2018

Hearing Room 1675

9:00 AM

2:17-19839 Louis Omar Cruz

Chapter 7

Adv#: 2:17-01538 Wolkowitz v. Cruz

#1.00 TRIAL RE: Complaint against debtor for denial of discharge [11 U.S.C. § 727]
fr. 1/16/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/2/18. No tentative ruling will be issued for trial. Appearances are required on 4/6/18.

Prior tentative ruling as of 1/12/18. The court has reviewed the unilateral status reports of the parties, and the parties should address why no joint status report was filed. Appearances are required on 1/16/18.

Party Information

Debtor(s):

Louis Omar Cruz

Represented By
Harriet L. Goldfarb

Defendant(s):

Louis Omar Cruz

Pro Se

Plaintiff(s):

Edward M Wolkowitz

Pro Se

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 9, 2018

Hearing Room 1675

2:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#1.00 Cont'd hearing re: Application to convert case to chapter 7 cased upon debtor's failure to comply with prior court order
fr. 2/28/18, 3/21/18, 4/2/18

Docket 314

Tentative Ruling:

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

No tentative ruling as of 2/26/18. Appearances are required on 2/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 9, 2018

Hearing Room 1675

2:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#2.00 Cont'd hearing re: Motion to value collateral supporting claim 7-1
[11 U.S.C. §506(a), FRBP 3012]
fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 223

Tentative Ruling:

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the hearing on 11/2/17 will be treated as a status conference. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 9, 2018

Hearing Room 1675

2:00 PM

CONT... Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 9, 2018

Hearing Room 1675

2:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#3.00 Cont'd hearing re: Motion to modify plan
fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 263

Tentative Ruling:

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 and the related motion to modify plan set for 11/2/17 at 9:00 a.m. will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 9, 2018

Hearing Room 1675

2:00 PM

CONT... Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 9, 2018

Hearing Room 1675

2:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#4.00 Cont'd status conference re: Confirmation of plan
fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 9, 2018

Hearing Room 1675

2:00 PM

CONT... Swing House Rehearsal and Recording, Inc.

Chapter 11

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 9, 2018

Hearing Room 1675

2:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/30/17. No tentative ruling on the merits. Appearances are required on 11/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 9, 2018

Hearing Room 1675

2:00 PM

CONT... Swing House Rehearsal and Recording, Inc. Chapter 11

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.
Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 1/11/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 9, 2018

Hearing Room 1675

2:00 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/17. No tentative ruling on the merits. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/11/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 9, 2018

Hearing Room 1675

2:00 PM

CONT... Philip Joseph Jaurigui Chapter 11

Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.
Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 9, 2018

Hearing Room 1675

2:00 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

Adv#: 2:17-01245 7175 WB, LLC v. Jaurigui

#7.00 Cont'd status conference re: Complaint to determine nondischargeability of debt (11 U.S.C. §§523(a)(2) and (a)(6)) fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Updated tentative ruling as of 11/6/17. No tentative ruling on the merits. Appearances are required on 11/8/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, April 9, 2018

Hearing Room 1675

2:00 PM

CONT... Philip Joseph Jaurigui Chapter 11

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/27/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

7175 WB, LLC

Represented By
Michael D Good

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

10:30 AM

2:17-17738 Sharp Financial LLC

Chapter 11

#1.00 Cont'd hearing re: Motion for relief from stay
(Bayview Loan Servicing, LLC VS Debtor)
fr. 3/20/18

Docket 43

Tentative Ruling:

Updated tentative ruling as of 4/9/18. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4), including retroactive annulment of stay, to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See *In re Dorsey*, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Prior tentative ruling. The motion is procedurally defective: (1) the unauthorized transfer of an interest of the property was from the borrowers to Grandview Financial, and it appears that the claim for relief under 11 U.S.C. 362(d)(4) should have been in Grandview's bankruptcy case rather than this debtor's bankruptcy case. This debtor appears to have been given a lien interest in the property by Grandview rather than the borrowers. (2) service on the debtor is inadequate because the suite number is missing on the proof of service, which does not indicate proper service; (3) service on the original borrowers is inadequate because the street number is incomplete and inaccurate on the proof of service, which does not indicate proper service. Appearances are required on 3/20/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

10:30 AM

CONT... Sharp Financial LLC

Chapter 11

Party Information

Debtor(s):

Sharp Financial LLC

Pro Se

Movant(s):

BAYVIEW LOAN SERVICING,

Represented By
Edward G Schloss

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

10:30 AM

2:18-10714 Martha Leticia Salas

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Santander Consumer USA Inc. VS Debtor)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Martha Leticia Salas

Pro Se

Movant(s):

Santander Consumer USA Inc.

Represented By
Jennifer H Wang

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

10:30 AM

2:18-10813 Daniela Contreras

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(ABNB Federal Credit Union VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Daniela Contreras

Represented By
Raymond Perez

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

10:30 AM

2:18-10971 Jerraine Craine

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Baldwin Hills Multifamily LLC VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies, including retroactive annulment of stay, for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Jerraine Craine

Pro Se

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

10:30 AM

2:18-11123 Susan Yen Quach

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Financial Services Vehicle Trust VS Debtor)

Docket 21

Tentative Ruling:

Revised tentative ruling as of 4/9/18. Off calendar. Motion resolved by stipulation and order. No appearances are required on 4/10/18.

Prior tentative ruling. The motion is procedurally defective since there is insufficient evidence of title to demonstrate movant's standing to seek stay relief and there is insufficient proof of service of the motion. An unauthenticated nongovernmental title report does not constitute admissible evidence of movant's lien interest in the subject collateral. The proof of service indicates that debtor's mailing address was located in Los Angeles rather than La Puente, which is incorrect. Appearances are required on 4/10/18 to address these deficiencies, but counsel may appear by telephone.

Party Information

Debtor(s):

Susan Yen Quach

Represented By
Michael G Martin

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

10:30 AM

2:18-11132 Peter Spennato DDS, Inc.

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Peggy Murphy and Genevieve Peterson VS Debtor)

Docket 8

***** VACATED *** REASON: Cont'd from 4/10/18 to 6/19/18 at 10:30 a.m.
per order entered on 4/5/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 6/19/18 at 10:30 a.m. No appearances are required on 4/10/18.

Party Information

Debtor(s):

Peter Spennato DDS, Inc.

Represented By
Heather J Canning

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

10:30 AM

2:18-11920 Enrique Garay and Isabel Rios

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtors)

Docket 12

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Enrique Garay

Represented By
James Geoffrey Beirne

Joint Debtor(s):

Isabel Rios

Represented By
James Geoffrey Beirne

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

10:30 AM

2:18-12613 Andre Bojorge and Vanessa Velasco

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(American Honda Finance Corporation VS Debtors)

Docket 8

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Andre Bojorge

Represented By
Jennifer Ann Aragon

Joint Debtor(s):

Vanessa Velasco

Represented By
Jennifer Ann Aragon

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

11:00 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#8.10 Cont'd hearing re: Motion for relief from stay
(US Bank Trust National Association VS Debtor)
fr. 3/20/18

Docket 177

***** VACATED *** REASON: Matter cont'd by movant to 4/17/18 at 10:30
a.m. per notice filed on 3/21/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/9/18. Off calendar. The hearing is continued to 4/17/18 at 10:30 a.m. as notice of continuance filed on 3/21/18 states. No appearances are required on 4/10/18.

Prior tentative ruling. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Movant has standing to seek stay relief because it has a colorable claim to enforce the trust deed as the substitute foreclosure trustee. In re Rozier, BAP No. CC-12-1359-KiPaD, 2013 WL 4428808 (9th Cir. BAP 2013), citing, California Civil Code Sections 2924 through 2924k and Debrunner v. Deutsche Bank National Trust Co., 204 Cal.App.4th 433, 440 (2012), affirmed, 623 Fed. Appx. 517 (9th Cir. 2015), citing inter alia, In re Griffin, 719 F.3d 1126, 1128 (9th Cir. 2013). In its reply, movant has submitted evidence that it is the current holder of the note based on endorsements of the note, and has shown that it has standing to enforce the note as the noteholder. In re Griffin, 719 F.3d 1126 (9th Cir. 2013).

No tentative ruling on request for relief under 11 U.S.C. 362(d)(4) because no service was made on the original borrower and this court generally requires service on the original borrower for due process concerns. In re Dorsey, 476 B.R. 261, 270 (Bankr. C.D. Cal. 2012).

Deny the request for extraordinary relief in paragraph 3 since the debtor is not the borrower under the relevant loan agreements. Deny requests for extraordinary relief in paragraphs 8, 10 and 11 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

11:00 AM

CONT... Grand View Financial LLC
2009).

Chapter 11

No tentative ruling on the request to waive the 14-day waiting period under FRBP 4001(a)(3).

Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

1:30 PM

2:12-14433 Arkland Investment LLC

Chapter 7

Adv#: 2:17-01479 Kurtz v. SIXTH AND VIRGIL, LLC et al.

#9.00 Status conference re: Second amended motion to amend judgment to add as judgment debtors Daniel Niemann, Park & Velayos, LLP and Mohammed Islam

Docket 72

***** VACATED *** REASON: Continued from 4/10/18 to 6/19/18 at 1:30 p.m. per stip & order entered on 4/4/18-mb.**

Tentative Ruling:

Off calendar. Continued by prior order to 6/19/18 at 1:30 p.m. No appearances are required on 4/10/18.

Party Information

Debtor(s):

Arkland Investment LLC

Represented By
Jeremy Faith
Elizabeth Jiang

Defendant(s):

SIXTH AND VIRGIL, LLC et al.

Pro Se

Plaintiff(s):

Heidi Kurtz

Pro Se

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

1:30 PM

2:12-14433 Arkland Investment LLC

Chapter 7

Adv#: 2:17-01479 Kurtz v. SIXTH AND VIRGIL, LLC et al.

#10.00 Cont'd status conference re: Removal of action under 28 U.S.C. 1452 (Bankruptcy)
fr. 10/24/17, 1/16/18

Docket 1

***** VACATED *** REASON: Continued from 4/10/18 to 6/19/18 at 1:30
p.m. per stip & order entered on 4/4/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/9/18. Off calendar. Continued by prior order to 6/19/18 at 1:30 p.m. No appearances are required on 4/10/18.

Prior tentative ruling. The status conference will be conducted at 3:30 p.m. at the same time as the hearing on the motion to dismiss. No tentative ruling on the merits. Appearances are required at 3:30 p.m., but counsel may appear by telephone.

Party Information

Debtor(s):

Arkland Investment LLC

Represented By
Jeremy Faith
Elizabeth Jiang

Defendant(s):

SIXTH AND VIRGIL, LLC et al.

Pro Se

Plaintiff(s):

Heidi Kurtz

Pro Se

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

1:30 PM

2:17-19081 Jarrod Cornelius Porter

Chapter 7

Adv#: 2:17-01571 Porter v. Navient U.S. Department of Education Loan Servicin

#11.00 Cont'd status conference re: Adversary complaint
fr. 2/13/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/9/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 4/10/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 2/12/18. Appearances are required on 2/13/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Jarrod Cornelius Porter	Pro Se
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Defendant(s):

Navient U.S. Department of	Pro Se
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Nelnet	Pro Se
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Plaintiff(s):

Jarrod Cornelius Porter	Pro Se
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Trustee(s):

Howard M Ehrenberg (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

1:30 PM

2:17-19557 Alfonso Spindola Valdovinos

Chapter 7

Adv#: 2:18-01032 Sarafin v. Valdovinos et al

#12.00 Status conference re: Complaint: 1. To determine non-dischargeability of debt pursuant to 11 U.S.C. § 523(a)(2)(A); 2. For denial of discharge pursuant to 11 U.S.C. § 727(a)(2)(A); 3. For denial of discharge pursuant to 11 U.S.C. § 727(a)(4)(A); 4. For denial of discharge pursuant to 11 U.S.C. § 727(a)(5); and 5. For a finding of alter ego liability

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed the joint status report and continues the status conference on its own motion to 4/17/18 at 2:30 p.m., the date of the hearing on the motion to dismiss (the court will also advance the hearing on the motion to dismiss to 2:30 p.m.). No appearances are required on 4/10/18. Counsel for plaintiff is to give notice to counsel for defendants.

Party Information

Debtor(s):

Alfonso Spindola Valdovinos

Represented By
William Radcliffe

Defendant(s):

Alfonso Spindola Valdovinos

Pro Se

Isabel Valdovinos

Pro Se

DOES 1 through 100, inclusive

Pro Se

Joint Debtor(s):

Isabel Valdovinos

Represented By
William Radcliffe

Plaintiff(s):

Dory Sarafin

Represented By
Robert P Goe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

1:30 PM

CONT... Alfonso Spindola Valdovinos

Chapter 7

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01020 Grand View Financial, LLC v. Wilmington Savings Fund Society, FSB et al

#13.00 Status conference re: Complaint for: (1) Declaratory relief regarding alleged standing of certain defendants under note and deed of trust, purported foreclosure sale, purported trustee's deed upon sale, purported subsequent sales and grant deeds, and title to real property; (2) Turnover of real property; (3) Disallowance of any claims of Christian Trust, ARCS, Inc., and Renovation Resolutions, Inc.; (4) Violation of fair debt collection practices act

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed the joint status report suggesting that the status conference be continued until late May 2018 because the pleadings are not yet at issue. The court continues the status conference on its own motion to 6/5/18 at 1:30 p.m., and a further joint status report must be filed on or before 5/29/18. No appearances are required on 4/10/18. Counsel for plaintiff is to give notice to counsel for defendants.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By

Todd M Arnold

Lindsey L Smith

Ian Landsberg

Defendant(s):

Wilmington Savings Fund Society,

Pro Se

Christiana Trust, A Division Of

Pro Se

ARNS Inc.

Pro Se

Renovation Resolutions, LLC

Pro Se

Recontrust Company, N.A.

Pro Se

Western Progressive, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

1:30 PM

CONT... Grand View Financial LLC

Chapter 11

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01035 Grand View Financial, LLC v. Nations Direct Mortgage, LLC et al

#14.00 Status conference re: Complaint for: (1) Declaratory relief; (2) Disallowance of any claims of PennyMac Loan Services, LLC; and (3) Violation of fair debt collection practices act

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed the joint status report suggesting that the status conference be continued until late May 2018 because the pleadings are not yet at issue. The court continues the status conference on its own motion to 6/5/18 at 1:30 p.m., and a further joint status report must be filed on or before 5/29/18. No appearances are required on 4/10/18. Counsel for plaintiff is to give notice to counsel for defendants.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By

Todd M Arnold

Lindsey L Smith

Ian Landsberg

Defendant(s):

Nations Direct Mortgage, LLC

Pro Se

Mortgage Electronic Registration

Pro Se

Fidelity National Title aka Fidelity

Pro Se

PennyMac Loan Services, LLC

Pro Se

PennyMac Corp.

Pro Se

Massachusetts Mutual Life

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

1:30 PM

CONT...

Grand View Financial LLC

Todd M Arnold

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

1:30 PM

2:18-12279 Hamlet Khodagulyan

Chapter 7

#15.00 Order to show cause hearing re debtor's failure to file a Certificate of Credit Counseling

Docket 8

***** VACATED *** REASON: Case dismissed for failure to file schedules
per order entered on 3/22/18-mb.**

Tentative Ruling:

Off calendar. The hearing on the order to show cause is moot because the case has been dismissed for failure to file schedules. No appearances are necessary.

Party Information

Debtor(s):

Hamlet Khodagulyan	Pro Se
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Trustee(s):

John J Menchaca (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

1:30 PM

2:18-12661 Brenda Doreen Steele

Chapter 7

#16.00 Order to show cause re: debtor's failure to file a Certificate of Credit Counseling

Docket 8

***** VACATED *** REASON: Case dismissed for failure to file schedules
per order entered on 3/30/18-mb.**

Tentative Ruling:

Off calendar. The hearing on the order to show cause is moot because the case has been dismissed for failure to file schedules. No appearances are necessary.

Party Information

Debtor(s):

Brenda Doreen Steele

Pro Se

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

1:30 PM

2:18-12964 Placemark Properties LLC

Chapter 7

#17.00 Order to show cause why case should not be dismissed pursuant to Local Bankruptcy Rule 9011-2(a)

Docket 4

Tentative Ruling:

No tentative ruling as of 4/9/18. Appearances are required on 4/10/18.

Party Information

Debtor(s):

Placemark Properties LLC

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

2:00 PM

2:13-17409 Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

#18.00 Status conference re: Renewed motion of Foremost Groups, Inc. to amend the judgment of the bankruptcy court to add Tangshan Ayers Bath Equipment Co. Ltd. as judgment debtor
fr. 1/24/18, 2/7/18, 3/5/18

Docket 118

Tentative Ruling:

Updated tentative ruling as of 4/9/18. No tentative ruling on the merits.
Appearances are required on 4/10/18, but counsel may appear by telephone.

Prior tentative ruling. Continued by stipulation and order to 2/7/18 at 2:00 p.m. No appearances are required on 2/24/18.

Party Information

Debtor(s):

Ayers Bath (U.S.A.), Co.,Ltd.

Represented By
Jeffrey S Renzi
Ryan S Fife

Trustee(s):

Alfred H Siegel (TR)

Represented By
Anthony A Friedman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

2:00 PM

2:15-10768 Brian J Cook

Chapter 7

Adv#: 2:15-01323 Franowicz et al v. Cook et al

#19.00 Cont'd pretrial conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(2) fr. 8/8/17, 10/17/17, 12/12/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/9/18. The court has reviewed the joint pretrial stipulation, and after its review, the court is of the opinion that the matter is not ready for trial. The parties have indicated that expert discovery has not been completed. Plaintiffs have stated that they will call expert witnesses at trial, and defendant reserved his right to do so. The court believes that the parties should disclose the identity of their expert witnesses and be required for such expert witnesses to produce their expert reports, and a deposition schedule be set. As to evidentiary objections to exhibits, the parties have each stated that they reserve all objections to some exhibits, which is not permitted by the court's rules and procedures, and the court will disregard the reservation of rights to object, which means that the parties asserting an objection must state specific grounds for an objection or the objections based on reservations of rights will be overruled, and such exhibits will be received into evidence. The court will allow parties some time to interpose objections based on specific grounds as to those exhibits. As to presentation of deposition testimony, plaintiffs state that they will object to the use of deposition testimony of plaintiffs, but do not state a reason. It appears to the court that the parties should mark and countermark deposition transcripts in accordance with the court's local rules and the parties can interpose objections to admission of deposition testimony at that time. In the joint pretrial stipulation, defendant stated that the trial should be bifurcated to first determine the existence of a debt and then determine whether such debt is dischargeable, but plaintiffs stated no position as to bifurcation. The court is not inclined to bifurcate the trial since there is no apparent benefit to the court or the parties by doing so, but plaintiffs will need to state their position on the issue. The parties should be prepared to discuss scheduling of expert

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

2:00 PM

CONT...

Brian J Cook

Chapter 7

discovery, submission of an amended joint pretrial stipulation and dates for a further pretrial conference. Appearances are required on 4/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 10/16/17. Appearances are required on 10/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 8/7/17. The court has reviewed plaintiffs' status report stating that they intend to proceed with prosecution of the adversary complaint. According to the status report, plaintiffs seek specified damages of \$32,018.06 for rent and settlement costs, plus an unspecified amount of damages for attorneys' fees they have incurred. Plaintiffs should be prepared to disclose: (1) the amount of attorneys' fees that they incurred and are seeking an award and (2) the substantive legal basis for an award of attorneys' fees because none was alleged in the complaint or specified in the purchase and sale agreement for the subject property (preliminarily, the court is of the view that the attorneys' fees clause in the lease agreement would not apply since the alleged fraud was with the purchase and sale agreement). Appearances are required on 8/8/17 to discuss scheduling of further proceedings, including pretrial conference and trial, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. The court has reviewed the joint pretrial stipulation. No tentative ruling on the merits. The court will discuss the issues raised in the joint pretrial stipulation regarding the effect of the approval of the settlement between trustee and the Franowicz/Gallagher parties. Appearances are required on 6/27/17.

Prior tentative ruling as of 5/26/17. Off calendar. Continued to 6/27/17 at 2:00 p.m. as stated orally at a hearing on trustee's motion to approve settlement with Franowicz/Gallagher parties in the main bankruptcy case on 5/15/17. No appearances are required on 5/30/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

2:00 PM

CONT...

Brian J Cook

Chapter 7

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/13/17. The court has reviewed the joint status report. Appearances are required on 1/17/17 to discuss scheduling of further proceedings, including a pretrial conference.

Prior tentative ruling as of 5/27/16. Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 9/30/16 and to complete mediation by 1/17/17. Appearances are required on 5/31/16, but counsel may appear by telephone. Plaintiffs to submit a proposed scheduling order within 7 days of hearing.

Prior tentative ruling as of 2/22/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 2/24/16 to address scheduling and referral to mediation, but counsel may appear by telephone.

Prior tentative ruling as of 12/14/15. Treat as contested matter under FRBP 9014. No tentative ruling on the merits. Appearances are required on 12/16/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 11/23/15. Off calendar. This matter is trailed with the pretrial conference on creditors' motion to dismiss the bankruptcy case and debtors' motion to reject executory contract, which have been continued by stipulation and order to 12/15/15 at 2:00 p.m. No appearances are required on 11/24/15.

Prior tentative ruling as of 10/9/15. Off calendar. Continued to 11/24/15 at 2:00 p.m. on the court's own motion at a hearing in the bankruptcy case on 10/6/15. No appearances are required on 10/13/15.

Prior tentative ruling. The court has reviewed the joint status report requesting that the status conference be continued until after the evidentiary

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

2:00 PM

CONT... Brian J Cook

Chapter 7

hearing on creditors' motion to dismiss the underlying bankruptcy case is conducted. Appearances are required on 8/25/15 to discuss scheduling, but counsel may appear by telephone.

Party Information

Debtor(s):

Brian J Cook

Represented By
Rex Tran

Defendant(s):

Brian J Cook

Represented By
Rex Tran

Victoria Velasquez Cook

Represented By
Andrew Goodman
Rex Tran

Interested Party(s):

Courtesy NEF

Represented By
Theresa J Macellaro

Joint Debtor(s):

Victoria Velasquez Cook

Represented By
Andrew Goodman
Yi S Kim
Robert D Bass
Rex Tran

Plaintiff(s):

Edward Franowicz

Represented By
James Andrew Hinds Jr
Brian Barouir Yeretzian
Paul R Shankman

Larissa Gallagher

Represented By
James Andrew Hinds Jr
Brian Barouir Yeretzian

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

2:00 PM

CONT... Brian J Cook

Chapter 7

Paul R Shankman

Trustee(s):

Heide Kurtz (TR)

Represented By
Lei Lei Wang Ekvall

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

2:30 PM

2:16-10683 VICTORIANO AMEZCUA JR.

Chapter 7

#20.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Wesley H. Avery, Chapter 7 Trustee]

Docket 61

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 4/10/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

VICTORIANO AMEZCUA JR.

Represented By
Rosendo Gonzalez

Trustee(s):

Wesley H Avery (TR)

Represented By
Robert A Hessling

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

2:30 PM

2:16-10683 VICTORIANO AMEZCUA JR.

Chapter 7

#21.00 Hearing re: Application for fees and expenses
[Robert A. Hessling, APC, Attorney for Chapter 7 Trustee]

Docket 58

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 4/10/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

VICTORIANO AMEZCUA JR.

Represented By
Rosendo Gonzalez

Trustee(s):

Wesley H Avery (TR)

Represented By
Robert A Hessling

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

2:30 PM

2:16-10683 VICTORIANO AMEZCUA JR.

Chapter 7

#22.00 Hearing re: Application for fees and expenses
[Wilton Robinson, Accountant for Chapter 7 Trustee]

Docket 59

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 4/10/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

VICTORIANO AMEZCUA JR.

Represented By
Rosendo Gonzalez

Trustee(s):

Wesley H Avery (TR)

Represented By
Robert A Hessling

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

2:30 PM

2:17-20350 Carlos Guerrero, Jr.

Chapter 7

Adv#: 2:17-01518 Mercedes-Benz Financial Services USA, LLC dba Daim v. Guerrero, Jr.

#23.00 Hearing re: Plaintiff's motion for default judgment under LBR 7055-1

Docket 11

Tentative Ruling:

Grant plaintiff's motion for default judgment for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 4/10/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Carlos Guerrero Jr.

Represented By
Omar Zambrano

Defendant(s):

Carlos Guerrero Jr.

Pro Se

Plaintiff(s):

Mercedes-Benz Financial Services

Represented By
John H Kim

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

2:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#23.10 Cont'd hearing re: Plaintiff/creditor James Lee Clark's motion for an order for sanctions including terminating sanctions against defendant/debtor Rita Ellison-Farris fr. 4/3/18

Docket 362

Tentative Ruling:

No tentative ruling as of 4/9/18. Appearances are required on 4/10/18.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 10, 2018

Hearing Room 1675

3:00 PM

2:17-19081 Jarrod Cornelius Porter

Chapter 7

Adv#: 2:17-01571 Porter v. Nelnet et al

#24.00 Hearing re: Motion to dismiss Nelnet as a defendant in this adversary proceeding

Docket 36

Tentative Ruling:

Grant plaintiff's motion to dismiss Nelnet as a party defendant for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 4/10/18. The court will prepare and file an appropriate order.

Party Information

Debtor(s):

Jarrod Cornelius Porter	Pro Se
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Defendant(s):

Nelnet	Pro Se
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Educational Credit Management	Represented By Scott A Schiff
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United States Department Of	Represented By Elan S Levey
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Plaintiff(s):

Jarrod Cornelius Porter	Pro Se
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Trustee(s):

Howard M Ehrenberg (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 11, 2018

Hearing Room 1675

11:00 AM

2:13-28671 Elbiali Ismail Osman

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 12/14/16, 6/14/17, 8/16/17

Docket 298

Tentative Ruling:

Updated tentative ruling as of 4/9/18. No tentative ruling on the merits.
Appearances are required on 4/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 6/13/17. Appearances are required on
6/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/13/16. No tentative ruling on the merits, but
debtor should address why a postconfirmation status report was not timely
filed as ordered by the court on 10/18/16. Appearances are required on
12/14/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Elbiali Ismail Osman

Represented By

Carlos F Negrete - INACTIVE -

Alan W Forsley

Robert G Uriarte

Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 11, 2018

Hearing Room 1675

11:00 AM

2:17-24288 Yong Xin Investment Group, LLC

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/10/18

Docket 1

***** VACATED *** REASON: Cont'd from 4/11/18 to 5/16/18 at 11:00 a.m.
per stip & order entered on 3/26/18-pp.**

Tentative Ruling:

The court has reviewed debtor's status report. The proposed claims bar date and notice dates proposed in the status report are satisfactory. Because debtor indicated on the petition that this is a single asset real estate case, debtor should advise the court whether it will be asking the court for an extension of the 90 day deadline for filing a plan or commencing adequate protection payments to avoid stay relief under 11 U.S.C. 362(d)(3) for a creditor whose claim is secured by the real estate. Appearances are required on 1/10/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Yong Xin Investment Group, LLC

Represented By
James S Yan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 11, 2018

Hearing Room 1675

11:00 AM

2:18-10551 Nina Mosby

Chapter 11

#3.00 Cont'd hearing re: Motion in individual chapter 11 case for order authorizing use of cash collateral [11 U.S.C. §363] fr. 3/7/18

Docket 17

***** VACATED *** REASON: Off calendar per stip & order entered on 3/29/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 3/6/18. As to the 149 W. Hillcrest Blvd., Inglewood, CA property, the motion is resolved by stipulation as between Debtor and Creditor Wells Fargo Bank and should otherwise be granted for the reasons stated in the moving papers and for lack of timely opposition.

As to the 4935 Indian Wood Road #443, Culver City, CA property, Debtor needs to address the opposition of Creditor Bank of America that its cash collateral should be segregated, the operation of the property generates a negative budget with no explanation of how the shortfall will be covered, the proposed budget for use of cash collateral of this Creditor has items that are not sufficiently justified, such as property management expenses and "other" expenses. No tentative ruling otherwise on the motion.

Appearances are required on 3/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Nina Mosby

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 11, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#4.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. The proposed claims bar date of 7/13/18 and proposed date for filing a disclosure statement of 6/4/18 seem reasonable. Appearances are required on 4/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 11, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#5.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. The proposed claims bar date of 5/15/18 will not be approved since this court generally requires at least 60 days notice to creditors of a claims bar date. The estimated administrative expenses in this case stated in the status report for \$250,000 to \$350,000 seem high, especially since debtors' budget motion and income and expense statements showing net income of about \$1,700 per month do not show that debtors have the ability to afford such expenses. There should be some explanation why the large amount of professional fee expenses estimated in the status report are needed in this case, and how debtors will be able to pay for these expenses (i.e., are they selling their real property to raise funds to pay for these fees). Appearances are required on 4/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, April 12, 2018

Hearing Room 1675

9:00 AM

2:10-60711 Brunelle Equities LLC

Chapter 11

#1.00 TRIAL RE: Motion to dismiss case pursuant to 11 U.S.C. section 1112(b) or to convert case to chapter 7
fr. 12/6/17, 3/1/18

Docket 213

***** VACATED *** REASON: Cont'd from 4/12/18 to 5/10/18 at 10:00 a.m.
per stip & order entered on 4/10/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/11/18. Off calendar. Continued by stipulation and order to 5/10/18 at 10:00 a.m. No appearances are required on 4/12/18.

Prior tentative ruling as of 2/28/18. Off calendar. Continued by stipulation and order to 4/12/18 at 9:00 a.m. No appearances are required on 3/1/18.

Prior tentative ruling as of 2/26/18. The court first notes that the parties submitted unilateral pretrial stipulations with counsel declarations as to the circumstances why the pretrial stipulations are unilateral. Aside from the issue of the declaration of counsel for debtor is not properly subscribed under 28 U.S.C. 1746(1) outside the United States requiring the language, "under the laws of the United States of America" as part of the jurat, the court disregards the unilateral pretrial stipulations because the court did not order that pretrial stipulations be filed, only witness and exhibit lists of the parties.

It seems that movant will be able to show at trial that debtor is in material default of the confirmed plan because it is now the assignee of the note and trust deed by the original noteholder, Bank of America, at the time of plan confirmation and that not all the plan payments on the claim have been made. Thus, there are probably grounds at least under 11 U.S.C. 1112(b)(4)(N) to establish cause to dismiss or convert. The court would have to consider what would be in the best interests of creditors and the estate to dismiss or convert once cause is shown. In re Sullivan, 522 B.R. 604 (9th Cir. BAP 2014). Thus, in this regard, the court would have to consider the interests of all creditors and the estate, and not just movant.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, April 12, 2018

Hearing Room 1675

9:00 AM

CONT... Brunelle Equities LLC

Chapter 11

Perhaps movant may want to reconsider asking for dismissal here because dismissal is not going to get movant where it wants to go, i.e., revocation of the confirmed plan to restore its prebankruptcy rights, as argued in its trial brief at 22. The cases movant cites, *In re Nash*, 765 F.2d 1410 (9th Cir. 1985) and *In re Case*, 27 B.R. 844 (Bankr. D.S.D. 1983), are completely inapposite since those were Chapter 13 cases, citing 11 U.S.C. 1307(b) and a Chapter 13 debtor's right of voluntary dismissal under that provision. In contrast, this is a Chapter 11 case where a debtor has no right of voluntary dismissal, and there is only one statute that provides for revocation of a confirmed plan, 11 U.S.C. 1144. Mere payment default is not enough to revoke a confirmed plan, but only if plan confirmation was procured by fraud as shown in an adversary proceeding commenced within 180 days of the entry of the plan confirmation order. 11 U.S.C. 1144; see also, 2 March, Ahart and Shapiro, *Rutter Group California Practice Guide: Bankruptcy*, paragraphs 11:2305-11:2315 at 11-278 - 11-279 (2017). The statute cited by movant, 11 U.S.C. 349, does not support its position since the statutory language does not revoke the plan. *Id.*

The parties are still bound by the plan, even if the Chapter 11 case is dismissed, since the plan has *res judicata* effect and the court lacks authority to vacate plan provisions which modify or cram down movant's lien. See 2 March, Ahart and Shapiro, *Rutter Group California Practice Guide: Bankruptcy*, paragraphs 5:1962 at 5(II)-27 and 11:2294 at 11-278, citing cases. The plan would be still enforceable as a state law contract, and dismissal of the case would mean that the court would not have jurisdiction to enforce the contract and the parties would probably have to go to state court to enforce their rights under the plan contract. Thus, in light of the applicable law as discussed herein, perhaps movant may want to consider taking up the suggestion of counsel for debtor to meet and confer and "work it out." The court would consider a short stipulated continuance of trial for counsel to consider these points and/or discuss a consensual resolution of the matter.

Appearances are required on 3/1/18.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, April 12, 2018

Hearing Room 1675

9:00 AM

CONT... Brunelle Equities LLC

Chapter 11

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact regarding debtor's performance under the confirmed plan and creditor's standing to be resolved in an evidentiary hearing. Treat the hearing on 12/6/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/6/17, and the parties may not call their witnesses to testify on 12/6/17. The court estimates that the evidentiary hearing will take one day and will schedule it for either January or February 2018. If either party believes that there are no genuine issues of material fact and it is entitled to judgment as a matter of law, it may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/6/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Brunelle Equities LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, April 12, 2018

Hearing Room 1675

9:00 AM

2:10-60711 Brunelle Equities LLC

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 11/29/17, 12/6/17, 3/1/18

Docket 1

***** VACATED *** REASON: Cont'd from 4/12/18 to 5/10/18 at 10:00 a.m.
per stip & order entered on 4/10/18-mb**

Tentative Ruling:

Updated tentative ruling as of 4/11/18. Off calendar. Continued by stipulation and order to 5/10/18 at 10:00 a.m. No appearances are required on 4/12/18.

Revised tentative ruling as of 2/28/18. Off calendar. In light of the continuance of the hearing on creditor's motion to dismiss, the court on its own motion continues the status conference in this case to 4/12/18 at 9:00 a.m. No appearances are required on 3/1/18.

Prior tentative ruling as of 11/28/17. Off calendar. The court, after reviewing the case docket, on its own motion continues the status conference to be conducted with the hearing on creditor's motion to dismiss or convert on 12/6/17 at 11:00 a.m. No appearances are required on 11/29/17.

Prior tentative ruling as of 10/25/17. Off calendar. Continued by stipulation and order to 11/29/17 at 11:00 A.M. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. The court has reviewed debtor's status report filed on 2/23/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/10/17. Off calendar. Continued by stipulation

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, April 12, 2018

Hearing Room 1675

9:00 AM

CONT... Brunelle Equities LLC Chapter 11

and order to 3/1/17 at 11:00 a.m. No appearances are required on 1/11/17.

Prior tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/13/16. No tentative ruling on the merits, but debtor should address why a postconfirmation status report was not timely filed as ordered by the court on 10/18/16. Appearances are required on 12/14/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Brunelle Equities LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

10:30 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#1.00 Cont'd hearing re: Motion for relief from stay
(U.S. Bank Trust National Association VS Debtor)
fr. 3/20/18, 4/10/18

Docket 177

Tentative Ruling:

Updated tentative ruling as of 4/16/18. No tentative ruling on the merits. Movant should address debtor's arguments that the note is paid in full due to mortgage insurance, which may or may not be true, and explain its standing to enforce the note and trust deed if the note has been paid. Appearances are required on 4/17/18.

Prior tentative ruling. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Movant has standing to seek stay relief because it has a colorable claim to enforce the trust deed as the substitute foreclosure trustee. In re Rozier, BAP No. CC-12-1359-KiPaD, 2013 WL 4428808 (9th Cir. BAP 2013), citing, California Civil Code Sections 2924 through 2924k and Debrunner v. Deutsche Bank National Trust Co., 204 Cal.App.4th 433, 440 (2012), affirmed, 623 Fed. Appx. 517 (9th Cir. 2015), citing inter alia, In re Griffin, 719 F.3d 1126, 1128 (9th Cir. 2013). In its reply, movant has submitted evidence that it is the current holder of the note based on endorsements of the note, and has shown that it has standing to enforce the note as the noteholder. In re Griffin, 719 F.3d 1126 (9th Cir. 2013).

No tentative ruling on request for relief under 11 U.S.C. 362(d)(4) because no service was made on the original borrower and this court generally requires service on the original borrower for due process concerns. In re Dorsey, 476 B.R. 261, 270 (Bankr. C.D. Cal. 2012).

Deny the request for extraordinary relief in paragraph 3 since the debtor is not the borrower under the relevant loan agreements. Deny requests for extraordinary relief in paragraphs 8, 10 and 11 for lack of legal authority

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

10:30 AM

CONT... Grand View Financial LLC Chapter 11

and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

No tentative ruling on the request to waive the 14-day waiting period under FRBP 4001(a)(3).

Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

10:30 AM

2:18-10068 Manuel Terrazas

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Wells Farbo Bank, N.A. VS Debtor)

Docket 38

Tentative Ruling:

No tentative ruling in light of the opposition filed by the borrower on the subject property. There appears to be a disputed issue of material fact regarding Exhibit 8, notice of a purported transfer of a fractional interest to debtor, which may require an evidentiary hearing. If Exhibit 8 is authentic, this may constitute grounds for stay relief under 11 U.S.C. 362(d)(4), but if Exhibit 8 is not authentic, this may show that relief under 11 U.S.C. 362(d)(4) is not appropriate, but the court should grant relief under 11 U.S.C. 362(d)(1) because movant has a colorable claim to enforce in its nonbankruptcy remedies outside this court.

In any event, if relief under 11 U.S.C. 362(d)(4) is granted, based on debtor's opposition, the court does not make any finding of bad faith on his part since there is no evidence in the record that he had anything to do with the transfer, and it appears on this record that his bankruptcy case is being used by another for an improper purpose to stop the collection enforcement action of movant. In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012). The court is inclined to set an evidentiary hearing on movant's claim under 11 U.S.C. 362(d)(4) since it is factually disputed by the borrower, and granting such relief would affect her rights.

Appearances are required on 4/17/18, but counsel may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Manuel Terrazas

Represented By
Leslie Richards

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

10:30 AM

CONT... Manuel Terrazas

Chapter 7

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

10:30 AM

2:18-10410 Chang Ah Choi

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Daimler Trust VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies, including retroactive annulment of stay, for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Chang Ah Choi

Represented By
Raj T Wadhvani

Movant(s):

Daimler Trust

Represented By
Jennifer H Wang

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

10:30 AM

CONT... Chang Ah Choi

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

10:30 AM

2:18-11017 Reynaldo Muro and Sonia Verdugo Muro

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(TD Auto Finance LLC VS Debtors)

Docket 12

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Reynaldo Muro

Represented By
Sundee M Teeple

Joint Debtor(s):

Sonia Verdugo Muro

Represented By
Sundee M Teeple

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

10:30 AM

CONT... Reynaldo Muro and Sonia Verdugo Muro

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

10:30 AM

2:18-11255 Ronald Jefferson, Jr

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Santander Consumer USA Inc. VS Debtor)

Docket 11

Tentative Ruling:

No tentative ruling in light of debtor's opposition to the motion. Appearances are required on 4/17/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Ronald Jefferson Jr	Pro Se
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Trustee(s):

John J Menchaca (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

1:30 PM

2:12-35473 Amurgence Technology Inc

Chapter 7

Adv#: 2:14-01502 Rund, Chapter 7 Trustee v. Microland Electronics Corporation, a California

#6.00 Cont'd status conference re: Complaint to: 1. Avoid Preferential Transfers; 2. Avoid Fraudulent Transfers; 3. Recover Preferential and Fraudulent Transfers; 4. Aiding and Abetting Breach of Fiduciary Duty; 5. Intentional Interference with Prospective Economic Advantage; and 6. Negligent Interference with Prospective Economic Advantage [11 U.S.C. §§544, 547, 548(a)(1)(A) and (B), 550(a)(1) and (2) and California Civil Code §3439, et seq.]
fr. 10/17/17, 11/28/17, 5/29/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. The court has reviewed the joint status report and intends to discuss scheduling of further proceedings in this adversary proceeding, specifically to discuss whether they can be coordinated with further proceedings in the related adversary proceedings involving debtor's insiders and attorneys. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 4/11/17 to discuss scheduling of further proceedings, including possible coordination with litigation in Rund v. Lee adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 9/30/15 and set a post-discovery status conference for 10/27/15 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

1:30 PM

CONT... Amurgence Technology Inc Chapter 7

for selection of mediator and alternate by 3/31/15 and to complete mediation by 10/27/15. Appearances are required on 2/3/15, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Amurgence Technology Inc

Represented By
Ron Bender
Mark H Mcguire
Irwin M Wittlin

Defendant(s):

Microland Electronics Corporation,

Pro Se

Plaintiff(s):

Jason M. Rund, Chapter 7 Trustee

Represented By
Corey R Weber

Trustee(s):

Jason M Rund (TR)

Represented By
Steven T Gubner
Corey R Weber
Michael W Davis

Jason M Rund (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

1:30 PM

2:12-35473 Amurgence Technology Inc

Chapter 7

Adv#: 2:15-01563 Rund, Chapter 7 Trustee v. Lee, an individual et al

#7.00 Cont'd status conference re: Complaint for: (1) malpractice; (2) aiding and abetting breach of fiduciary duty; and (3) breach of fiduciary duty fr. 10/17/17, 11/28/17, 1/23/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. No tentative ruling on the merits. The court has reviewed the joint status report and intends to discuss scheduling of further proceedings in this adversary proceeding in light of substitution of counsel for defendants. Appearances are required on 1/23/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. The court has reviewed the joint status report and intends to discuss scheduling of further proceedings in this adversary proceeding, specifically to discuss whether they can be coordinated with further proceedings in the related adversary proceedings involving debtor's insiders and Microland and the scheduling of defendants' motion for summary judgment. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 4/11/17 to discuss scheduling of further proceedings, including possible coordination with litigation in Rund v. Microland adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 1/10/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

1:30 PM

CONT... Amurgence Technology Inc

Chapter 7

Prior tentative ruling as of 12/5/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/6/16 to discuss scheduling of further proceedings, including filing of supplemental pleadings, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits. Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. The court has reviewed the joint status report, noting the hearings on the pending motions to dismiss the first amended complaint on 7/26/16 at 3:00 p.m., and continues the status conference to the date and time of the hearings on the motions to dismiss the first amended complaint on 7/26/16 at 3:00 p.m. No appearances are required on 7/19/16

Prior tentative ruling as of 4/11/16. No tentative ruling on the merits. Appearances are required on 4/12/16.

Prior tentative ruling as of 4/4/16 at 5:30 p.m. Off calendar. Continued on the court's own motion to 4/12/16 at 2:30 p.m. since the hearing on the motion to dismiss is continued to that date and time. No appearances are required on 4/5/16.

Prior tentative ruling as of 3/7/16. ff calendar. Continued by separate order on the court's own motion for further briefing to 4/5/16 at 3:00 p.m. No appearances are required on 3/8/16.

Prior tentative ruling. In light of defendants' pending motion to dismiss or for more definite statement noticed for hearing on 3/8/16 at 3:00 p.m., the court continues the status conference to that date and time on its own motion since the determination of that motion may affect the status of the adversary proceeding. No appearances are required on 2/9/16.

Party Information

Debtor(s):

Amurgence Technology Inc

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

1:30 PM

CONT... Amurgence Technology Inc

Chapter 7

Ron Bender
Mark H Mcguire
Irwin M Wittlin

Defendant(s):

Albert Lee, an individual	Pro Se
Business Legal Partners Attorneys	Pro Se
DOES 1 through 10	Pro Se

Plaintiff(s):

Jason M. Rund, Chapter 7 Trustee	Represented By Corey R Weber
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Trustee(s):

Jason M Rund (TR)	Represented By Steven T Gubner Corey R Weber Michael W Davis
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Jason M Rund (TR)	Pro Se
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U.S. Trustee(s):

United States Trustee (LA)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

1:30 PM

2:13-17901 CalCounties Title Nation Company

Chapter 7

#8.00 Status conference re: Motion by claimant Benson Ahumibe and Grace M. Ahumibe, for order to release funds held in debtor's escrow account fr. 7/25/17, 8/29/17, 1/18/18

Docket 132

Tentative Ruling:

Updated tentative ruling as of 4/16/18. This contested matter appears to be moot based on the court's approval of trustee's motion to approve settlement with claimants. If no appearances are made, the court will assume that the matter is settled and should be taken off calendar. Appearances are optional on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 1/18/18.

No updated tentative ruling as of 8/28/17. Appearances are required on 8/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 and set a pretrial schedule, including discovery proceedings. Sustain trustee's objections to Ahumibe Declaration for lack of foundation. Movants will have to prove their entitlement to the funds in the escrow account in this contested matter because there is insufficient evidence that the funds belong to them as exempt sale proceeds relating to a sale of a prepetition asset of theirs which may be otherwise part of the bankruptcy estate of their personal bankruptcy case, and the trustee of movants' personal bankruptcy case may have to be joined as a party to this contested matter. Appearances are required on 5/30/17, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

1:30 PM

CONT... CalCounties Title Nation Company

Chapter 7

Debtor(s):

CalCounties Title Nation Company

Represented By
Allan Calomino

Trustee(s):

Alfred H Siegel (TR)

Represented By
Anthony A Friedman
Alfred H Siegel (TR)
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

1:30 PM

2:15-11554 Velocity Regional Center, LLC

Chapter 7

Adv#: 2:17-01128 Leslie v. Edward C. Lee, CPA

#9.00 Cont'd status conference re: Complaint for: (1) avoidance of voidable transfers; and (2) recovery of avoided transfers [11 U.S.C. §§ 544 and 550] fr. 10/17/17, 1/9/18, 2/20/18

Docket 1

***** VACATED *** REASON: Cont'd from 4/17/18 to 5/29/18 at 1:30 p.m. per stip & order entered on 4/13/18 - pp**

Tentative Ruling:

Updated tentative ruling as of 4/16/18. Off calendar. Continued by stipulation and order to 5/29/18 at 1:30 p.m. No appearances are required on 4/17/18.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits. Appearances are required on 2/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. Off calendar. Continued by stipulation and order to 2/20/18 at 1:30 p.m. No appearances are required on 1/9/18.

Prior tentative ruling as of 10/16/17. Off calendar. Continued by stipulation and order to 1/9/18 at 1:30 p.m. No appearances are required on 10/17/17.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report stating that the matter is in the process of being resolved and continues the status conference on its own motion to 6/27/17 at 1:30 p.m. Plaintiff to notify defendant of the continuance. No appearances are required on 4/4/17, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

1:30 PM

CONT... Velocity Regional Center, LLC

Chapter 7

Debtor(s):

Velocity Regional Center, LLC

Represented By
Stephen B Mashney
Jerome D Stark

Defendant(s):

Edward C. Lee, CPA

Pro Se

Plaintiff(s):

Sam Leslie

Represented By
Carmela Pagay

Trustee(s):

Sam S Leslie (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

1:30 PM

2:17-16232 Hye Jung Oh

Chapter 7

Adv#: 2:17-01408 Neman Brothers & Associates, Inc., a California co v. Oh

#10.00 Cont'd status conference re: Complaint to determine dischargeability of a debt and objection to discharge
fr. 10/24/17, 1/16/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. The status conference will be conducted on the 2:30 p.m. calendar with the hearing on plaintiff's motion for default judgment. Appearances are required at 2:30 p.m., not 1:30 p.m. No tentative ruling on the merits.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 10/24/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Hye Jung Oh

Represented By
Young K Chang

Defendant(s):

Hye Jung Oh

Pro Se

Plaintiff(s):

Neman Brothers & Associates, Inc.,

Represented By
Nico N Tabibi

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

1:30 PM

2:17-20350 Carlos Guerrero, Jr.

Chapter 7

Adv#: 2:17-01518 Mercedes-Benz Financial Services USA, LLC dba Daim v. Guerrero, Jr.

#11.00 Cont'd status conference re: Complaint to determine dischargeability of debt pursuant to 11 U.S.C. §523(a)(3)(A) fr. 1/9/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/16/18. Off calendar. The status conference is moot and unnecessary since the court orally granted plaintiff's motion for default judgment at the hearing on the motion on 4/10/18 and the court entered the default judgment on 4/12/18. No appearances are required on 4/17/18.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, and in light of default being entered against defendant, the court on its own motion continues the status conference to 4/17/18 at 1:30 p.m. to allow time for plaintiff to prepare and file its motion for default judgment. No appearances are required on 1/9/18.

Party Information

Debtor(s):

Carlos Guerrero Jr.

Represented By
Omar Zambrano

Defendant(s):

Carlos Guerrero Jr.

Pro Se

Plaintiff(s):

Mercedes-Benz Financial Services

Represented By
John H Kim

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

2:00 PM

2:13-39626 Peter James Eichler, Jr

Chapter 7

Adv#: 2:14-01547 Stahl, Chapter 7 Trustee v. Eichler, Jr

#12.00 Cont'd pretrial conference re: Complaint against debtor Peter James Eichler, Jr.
for denial of discharge [11 U.S.C. §727]
fr. 9/26/17, 11/28/17, 2/13/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/16/18. No tentative ruling on the merits.
Appearances are required on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits.
Appearances are required on 11/28/17, but counsel may appear by
telephone.

Updated tentative ruling as of 9/25/17. Off calendar. Continued by stipulation
and order to 11/28/17 at 2:00 p.m. No appearances are required on 9/26/17.

Prior tentative ruling as of 6/26/17. Off calendar. Continued by stipulation
and order to 8/29/17 at 2:00 p.m. No appearances are required on 6/27/17.

Prior tentative ruling as of 3/20/17. Off calendar. Continued by stipulation
and order to 4/25/17 at 2:00 p.m. No appearances are required on 3/21/17.

Prior tentative ruling. The court has reviewed the joint status report. No
tentative ruling on the merits. Appearances are required on 1/20/15, but
counsel may appear by telephone.

Party Information

Debtor(s):

Peter James Eichler Jr

Represented By
Christian T Kim
James A Dumas Jr
Miri Kim Wakuta

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

2:00 PM

CONT... Peter James Eichler, Jr

Chapter 7

Defendant(s):

Peter James Eichler Jr

Pro Se

Plaintiff(s):

Alberta P. Stahl, Chapter 7 Trustee

Represented By
Monica Y Kim

Trustee(s):

Alberta P Stahl (TR)

Represented By
Carmela Pagay
Monica Y Kim
Timothy J Yoo

Alberta P Stahl (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

2:30 PM

2:18-10824 Brett Clark

Chapter 7

#13.00 Hearing re: Motion for damages for creditor's violation of automatic stay

Docket 16

***** VACATED *** REASON: Notice of withdrawal filed on 4/6/18-mb.**

Tentative Ruling:

Off calendar. Motion withdrawn by notice filed on 4/6/18. No appearances are necessary.

Party Information

Debtor(s):

Brett Clark

Represented By
David H Chung

Movant(s):

Brett Clark

Represented By
David H Chung

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

2:30 PM

2:17-19557 Alfonso Spindola Valdovinos

Chapter 7

Adv#: 2:18-01032 Sarafin v. Valdovinos et al

#13.10 Hearing re: Motion to dismiss complaint: 1. to determine nondischargeability of debt pursuant to 11 U.S.C. section 523(a)(2)(A); 2. for denial of discharge pursuant to 11 U.S.C. section 727(a)(2)(A); 3. for denial of discharge pursuant to 11 U.S.C. section 727(a)(4)(A); 4. for denial of discharge pursuant to 11 U.S.C. section 727(a)(5); and 5. for a finding of alter ego liability

Docket 7

Tentative Ruling:

The court should rule upon defendants' motion to dismiss plaintiff's complaint for failure to state a claim upon which relief can be granted as follows:

Grant as 1st cause of action because the allegations therein are conclusory and do not allege specific facts relating to alleged fraudulent transfers which are the basis of its claim under 11 U.S.C. 523(a)(2)(A) based on the Supreme Court's decision in *Husky International Electronics, Inc. v. Ritz*, 136 S.Ct. 1581 (2016); accord, *DZ Bank AG Deutsche Zentral-Genossenschaft Bank v. Meyer*, 869 F.3d 839 (9th Cir. 2017). Leave to amend is granted to cure this defect.

Grant as to 2nd cause of action because the alleged transfers are beyond the one-year period before the petition date for which a claim under 11 U.S.C. 727(a)(2)(A) may be based. Leave to amend is granted to cure this defect.

Deny as to 3rd cause of action because the allegations assert a plausible claim for relief.

Deny as to 4th cause of action because the allegations assert a plausible claim for relief.

Grant as to 5th cause of action because plaintiff is essentially seeking relief to impose liability on nondebtor parties, the alleged alter ego parties, for the debts of debtors, which is to substantively consolidate debtors' bankruptcy

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

2:30 PM

CONT... **Alfonso Spindola Valdovinos**

Chapter 7

estates with the estates of these nondebtor parties for which plaintiffs lack standing as creditors as opposed to the trustee to seek such relief, for lack of notice to the alleged alter ego nondebtor parties and their creditors since these parties have not been served with the summons and complaint, and for failure to allege specific facts to support any substantive consolidation of debtors' estates with those of the nondebtor parties. See 2 Levin and Sommer, Collier on Bankruptcy, paragraph 105.09 at pages 105-92 - 105-112 (16th ed. 2017). Leave to amend is not granted because plaintiff lacks standing to seek such relief.

Leave to amend an original complaint is routinely granted pursuant to FRCP 15(a), and it would be an abuse of discretion not to grant leave to amend an initial complaint unless such amendment is futile. National Council of La Raza v. Chegavske, 800 F.3d 1032, 1041 (9th Cir. 2015)("It is black-letter law that a district court must give plaintiffs at least one chance to amend a deficient complaint, absent a clear showing that amendment would be futile.") (citations omitted).

Plaintiff to advise how much time she needs to serve and file an amended complaint. Appearances are required on 4/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Alfonso Spindola Valdovinos

Represented By
William Radcliffe

Defendant(s):

Alfonso Spindola Valdovinos

Represented By
Baruch C Cohen

Isabel Valdovinos

Represented By
Baruch C Cohen

DOES 1 through 100, inclusive

Pro Se

Joint Debtor(s):

Isabel Valdovinos

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

2:30 PM

CONT... Alfonso Spindola Valdovinos

Chapter 7

William Radcliffe

Movant(s):

Alfonso Spindola Valdovinos

Represented By
Baruch C Cohen

Isabel Valdovinos

Represented By
Baruch C Cohen

Plaintiff(s):

Dory Sarafin

Represented By
Robert P Goe

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

2:30 PM

2:17-19557 Alfonso Spindola Valdovinos

Chapter 7

Adv#: 2:18-01032 Sarafin v. Valdovinos et al

#13.20 Cont'd status conference re: Complaint: 1. To determine non-dischargeability of debt pursuant to 11 U.S.C. § 523(a)(2)(A); 2. For denial of discharge pursuant to 11 U.S.C. § 727(a)(2)(A); 3. For denial of discharge pursuant to 11 U.S.C. § 727(a)(4)(A); 4. For denial of discharge pursuant to 11 U.S.C. § 727(a)(5); and 5. For a finding of alter ego liability
fr. 4/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report and continues the status conference on its own motion to 4/17/18 at 2:30 p.m., the date of the hearing on the motion to dismiss (the court will also advance the hearing on the motion to dismiss to 2:30 p.m.). No appearances are required on 4/10/18. Counsel for plaintiff is to give notice to counsel for defendants.

Party Information

Debtor(s):

Alfonso Spindola Valdovinos

Represented By
William Radcliffe

Defendant(s):

Alfonso Spindola Valdovinos

Pro Se

Isabel Valdovinos

Pro Se

DOES 1 through 100, inclusive

Pro Se

Joint Debtor(s):

Isabel Valdovinos

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

2:30 PM

CONT... Alfonso Spindola Valdovinos

Chapter 7

William Radcliffe

Plaintiff(s):

Dory Sarafin

Represented By
Robert P Goe

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

3:00 PM

2:17-19557 Alfonso Spindola Valdovinos

Chapter 7

Adv#: 2:18-01032 Sarafin v. Valdovinos et al

#14.00 Hearing re: Motion to dismiss complaint: 1. to determine nondischargeability of debt pursuant to 11 U.S.C. section 523(a)(2)(A); 2. for denial of discharge pursuant to 11 U.S.C. section 727(a)(2)(A); 3. for denial of discharge pursuant to 11 U.S.C. section 727(a)(4)(A); 4. for denial of discharge pursuant to 11 U.S.C. section 727(a)(5); and 5. for a finding of alter ego liability

Docket 7

***** VACATED *** REASON: Matter advanced to 2:30 p.m. per order entered on 4/12/18-mb.**

Tentative Ruling:

The hearing on the motion is advanced to the 2:30 p.m. calendar.
Appearances are required at 2:30 p.m.

Party Information

Debtor(s):

Alfonso Spindola Valdovinos

Represented By
William Radcliffe

Defendant(s):

Alfonso Spindola Valdovinos

Represented By
Baruch C Cohen

Isabel Valdovinos

Represented By
Baruch C Cohen

DOES 1 through 100, inclusive

Pro Se

Joint Debtor(s):

Isabel Valdovinos

Represented By
William Radcliffe

Movant(s):

Alfonso Spindola Valdovinos

Represented By
Baruch C Cohen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

3:00 PM

CONT... Alfonso Spindola Valdovinos

Chapter 7

Isabel Valdovinos

Represented By
Baruch C Cohen

Plaintiff(s):

Dory Sarafin

Represented By
Robert P Goe

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

3:00 PM

2:17-24369 Marvin Abel Sican Roca

Chapter 7

Adv#: 2:18-01047 Wesley H. Avery, Chapter 7 Trustee of the Bankrupt v. Sican Roca et al

#15.00 Hearing re: Defendants Marvin Abel Sican Roca aka Marvin A. Sican, Angelica Maria Rodriguez, Oscar L. Sican, Angelica Sican Martinez motion for order dismissing adversary proceeding for failure to state a claim on which relief can be granted

Docket 13

Tentative Ruling:

Grant defendants' motion to dismiss the adversary complaint for failure to state a claim upon which relief can be granted, but with leave to amend. The court agrees with defendants that the complaint does not adequately plead plausible claims. To the extent that plaintiff is relying upon a claim of the Internal Revenue Service for income taxes to fall within the 10-year statute of limitations for collection of taxes under 26 U.S.C. 6502(a)(1), plaintiff must allege a plausible claim that there was a tax liability owed by debtors at the time of the transfer and that the collection statute of limitation was still open at the time that this action was brought. However, in this case, since the alleged IRS tax liability of debtors is unassessed, plaintiff must plausibly allege that the statute of limitations for assessment of additional taxes against debtors under 26 U.S.C. 6501 is still open, so the tax is still assessable, which deadline is generally three years from the due date of the return, on or about 4/15/09, for calendar year 2008 since it appears that the return was filed before the due date, which deadline appears to have been or or about 4/15/12. The assessment statute of limitations may be longer than three years for a substantial omission of income or for fraud or evasion of tax under 26 U.S.C. 6501. If the IRS has not made an assessment of additional taxes within the statute of limitations on assessment, it cannot bring any action to collect tax. The complaint does not address this issue, only stating that the 10-year collection statute of limitations has not expired on information and belief.

The complaint alleges that on information and belief, the IRS will file a proof of claim in this case. However, as of 4/16/18, it has not done so, though the deadline for governmental claims is 5/21/18. If the IRS does not file a proof of claim, does this mean that plaintiff cannot rely on the IRS's standing to

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

3:00 PM

CONT... Marvin Abel Sican Roca

Chapter 7

bring a fraudulent transfer action?

The allegations of the complaint are unclear about plaintiff's theory of tax liability based on unreported rental income, i.e., is plaintiff alleging that the property is owned by debtors despite the transfer of legal title, and if this is so, it is not clear. See *In re Cass*, 606 Fed. Appx. 318 (9th Cir. 2015)(creditor's judgment lien arising after fraudulent transfer of property attached to debtor's equitable interest in property since title transfer was a sham and debtor retained control and dominion over property). If the property was transferred to debtor's brother, and it is his now, then any rental income from the property would be attributable to him rather than debtor. The allegations in the complaint only assert that the transfer of the property by debtor husband to his brother was fraudulent because it was made for no consideration while debtors were insolvent, but not that debtors retained an equitable interest in the property.

If plaintiff asserts that debtors retained an equitable interest in the property despite transfer of legal title, it would seem that plaintiff does not need to rely on the IRS collection statute of limitations to assert a fraudulent transfer claim because such equitable interest would be property of this bankruptcy estate. *In re Cass*, supra.

The court agrees with defendants that the eleventh cause of action for denial of discharge fails to state a claim upon which relief can be granted. First, the cause of action contains two separate claims, one under 11 U.S.C. 727(a)(3), and one under 11 U.S.C. 727(a)(4). The claims are not adequately pleaded because there is no pleading of facts to support the elements of a claim under either statute.

Appearances are required on 4/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Marvin Abel Sican Roca

Represented By
Daniel King

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 17, 2018

Hearing Room 1675

3:00 PM

CONT... Marvin Abel Sican Roca

Chapter 7

Defendant(s):

Marvin Abel Sican Roca	Represented By Daniel King
Angelica Maria Rodriguez	Represented By Daniel King
Oscar L. Sican	Represented By Daniel King
Angelica Sican Martinez	Represented By Daniel King
Bayview Loan Servicing, LLC.	Represented By Jeffrey B Gardner

Joint Debtor(s):

Angelica Maria Rodriguez	Represented By Daniel King
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Plaintiff(s):

Wesley H. Avery, Chapter 7 Trustee	Represented By Zi Chao Lin Adjoa Anim-Appiah
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Trustee(s):

Wesley H Avery (TR)	Represented By Zi Chao Lin
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#1.00 Order to show cause why case should not be dismissed under Local Bankruptcy Rule 9011-2(a)

Docket 82

Tentative Ruling:

No tentative ruling as of 4/16/18. Appearances are required on 4/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By

John-Patrick M Fritz

Ryan D ODea

Leonard M Shulman

Shulman Hodges & Bastian LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#2.00 Hearing re: Debtor's motion for an order granting an extension of the plan exclusivity periods pursuant to bankruptcy code Section 1121(d)

Docket 77

Tentative Ruling:

No tentative ruling as of 4/16/18. Appearances are required on 4/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By

John-Patrick M Fritz

Ryan D ODea

Leonard M Shulman

Shulman Hodges & Bastian LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#2.10 Hearing re: Voluntary dismissal/withdrawal by United States Trustee of motion under 11 U.S.C. §1112(b) to convert, dismiss, or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 88

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#2.20 Cont'd hearing re: United States Trustee's motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon fr. 1/17/18

Docket 36

Tentative Ruling:

Updated tentative ruling as of 4/16/18. No tentative ruling on the merits. The United States Trustee has requested voluntary dismissal/withdrawal of his motion, but several parties have already responded to the motion, and the parties do not agree as to whether the case should be dismissed or converted. Appearances are required on 4/18/18, but counsel may appear by telephone.

Revised tentative ruling as of 1/16/18. The court is considering granting motion of United States Trustee to dismiss, convert or appoint trustee for the reasons stated in the moving papers for lack of compliance with United States Trustee information reporting requirements under 11 U.S.C. 1112(b)(4)(H) since cause may be shown by the moving papers and is not apparently disputed by debtor. However, before the court concludes that cause is shown under 11 U.S.C. 1112(b)(4)(H), the court could allow debtor an opportunity to cure the United States Trustee information reporting deficiencies and allow the case to proceed.

If the court determines that cause is shown under 11 U.S.C. 1112(b)(4)(H), the court must consider and decide whether conversion, dismissal or trustee appointment is in the best interests of creditors and the estate under 11 U.S.C. 1112(b)(1). In re Sullivan, 522 B.R. 604, 612 (9th Cir. BAP 2014). However, there are conflicting positions among creditors regarding whether the case should be dismissed, converted to Chapter 7, or a trustee appointed in the best interests of creditors and the estate and the United States Trustee has no recommendation as between dismissal or conversion. One creditor, the judgment creditor Second Generation, Inc., contends that trustee appointment or conversion is in the best interests of creditors and the estate

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

CONT... **Kody Branch of California, Inc.**

Chapter 11

because the creditors supporting dismissal are sham creditors and debtor's schedules and monthly operating reports reflect an unexplained dissipation of about \$240,000 in bank deposits shortly after petition date. The creditors supporting dismissal assert that they are owed large amounts and that conversion or trustee appointment will not allow the debtor to continue to operate to generate business revenue to pay them back. In making its determination of what is in the best interests of creditors and the estate, it is not simply a matter of the majority vote of creditors or which is largest and most vocal creditor, but what is in the best interests of all creditors. In re Sullivan, 522 B.R. at 612-613. The court believes that in fairness to the parties that it should conduct an evidentiary hearing if cause is found to determine whether it should dismiss or convert the case or appoint a trustee and hear testimony and receive evidence from debtor and creditors and interested parties, such as the United States Trustee, to resolve the contentions of the disputing parties on dismissal, conversion or trustee appointment (i.e., whether the allegedly suspect creditors which support dismissal have bona fide claims, whether debtor has an explanation for the alleged postpetition dissipation of its bank deposits). Appearances are required on 1/17/18, but counsel may appear by telephone. The court will set a schedule for the evidentiary hearing after considering the views and pretrial needs of the parties, including discovery.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz
Ryan D ODea
Leonard M Shulman

Movant(s):

United States Trustee (LA)

Represented By
Hatty K Yip

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#2.30 Cont'd status conference re: Management of chapter 11 case
fr. 1/10/18, 1/17/18, 4/25/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/17/18. Off calendar. Status conference advanced to 4/18/18 at 11:00 a.m. by prior order. No appearances are required on 4/25/18.

Prior tentative ruling as of 1/12/18. Appearances are required on 1/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
David B Golubchik
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

2:17-24478 Julie Gamido

Chapter 11

#3.00 Hearing re: Debtor's motion to dismiss chapter 11 case

Docket 61

Tentative Ruling:

Grant debtor's motion for voluntary dismissal for the reasons stated in the moving papers and for lack of timely written opposition in that cause is shown due to debtor's inability to reorganize and dismissal is in the best interests of creditors and the estate given the lack of equity in assets to pay creditors. Appearances are required on 4/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Julie Gamido

Represented By
Kevin Tang

Movant(s):

Julie Gamido

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#3.10 Cont'd hearing re: Disclosure statement
fr. 2/21/18, 3/28/18, 4/4/18

Docket 94

Tentative Ruling:

Updated tentative ruling as of 4/16/18. Deny approval of disclosure statement. The amended disclosure statement is difficult to follow and confusing. The court thinks it can be boiled down to the following chart. Appearances are required on 4/18/18, but counsel may appear by telephone.

Goins feasibility analysis

Payments on Effective Date

Loan arrearages to Umbrella on 65 th Street:	\$136,107.20
	\$27,844.89

Priority claims

IRS	\$1,818.51
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IRS	\$40,079.00
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FTB	\$111.59
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City of LA	\$361.09
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Unsecured general claims (100% payment):	\$7,636.43
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Professional fees	_____
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United States Trustee fees	_____
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Total _____

Source of payments on effective date:

Family contribution: \$150,000

Estate funds (including sale of Bronson property) _____

Total _____

Payment of Secured claims:

Bedford property \$5,842.83

Property taxes _____

Source of payments on Bedford

Estate income (including from

Trust property management fees and

65th Street rental income)

65th Street property \$3,600.00

Property taxes _____

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

CONT...

Stassen Conrad Goins

Chapter 11

Other expenses

Source of payments on 65th Street

Rental income on 65th Street \$8,300.00

Income and expense for plan:

Income

Trust management fee income \$5,000.00

Rental income from 65th Street \$8,300.00

\$13,300.00

Expenses

Rental property expenses from

65th Street \$4,300.00

Personal expenses, including

Bedford mortgage \$7,750.00

Total expenses \$12,050.00

Net income \$1,300.00

Updated tentative ruling as of 4/16/18. No tentative ruling on the merits.
Appearances are required on 4/18/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits.
Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits.
Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. The amended disclosure statement is deficient and needs to be revised. First and foremost, no plan was attached to the disclosure statement, including Exhibits A and B, as well as the recently approved stipulation and order between debtor and secured creditor Christiana Trust. If debtor meant to attach the Plan last filed on 9/1/16, it should be updated to be accompany the amended disclosure statement. The court agrees with the objections of creditor Umbrella Investment Group that the amended disclosure statement lacks adequate information, including basic information about payment of general unsecured claims, how, what amounts and when. The last filed plan on 9/1/16 stated that general unsecured claims will be paid 100% and that debtor has rental income of \$8,300, but no information is provided as to how, when and what means to implement the plan, so creditors can evaluate feasibility. Financial projections of income and expense for the duration of the plan term are missing and should have been provided. Perhaps debtor's use of the form disclosure statement should be jettisoned, and debtor should use a narrative disclosure statement in plain English to describe what he proposes to the creditors in his plan. Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. Pending before the court is debtor's amendment to disclosure statement filed on 9/1/16, which has been noticed for hearing on 12/5/17. This amendment amends the original disclosure statement filed on 11/17/15. The original disclosure statement of 11/17/15 looks like a disclosure statement whereas the amendment filed on 9/1/16 does not. The amendment looks like an add-on amendment and does not contain sufficient information to constitute a disclosure statement that the court could approve and allow to be sent out to creditors. Debtor will have to

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

CONT...

Stassen Conrad Goins

Chapter 11

draft an updated disclosure statement that is self-contained in order for the plan to be considered by the court and creditors, and thus, the court will deny approval of the 9/1/16 amendment as debtor's disclosure statement. Appearances are required on 12/5/17 to discuss how long it will take debtor to revise his disclosure statement, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. The court has reviewed debtor's notice that tax returns have been prepared and filed, and the court expects to discuss debtor's plans for filing an amended disclosure statement. Appearances are required on 11/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits. Debtor was to address accountant's opinion regarding tax consequences of proposed property sales. Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. Debtor will need to address United States Trustee's objection regarding the estimates of income taxes needed to cover capital gains liability, but it appears that the amended disclosure statement is otherwise approvable, despite the United States Trustee's style suggestion, which the court does not agree with. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits. Appearances are required on 5/31/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits.
Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits.
Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits.
Appearances are required on 5/18/16 to address the objections of the United States Trustee and objecting creditors, but counsel (other than debtor's counsel) may appear by telephone. Debtor should be prepared to discuss the treatment of each class of creditors since the proposed plan does not make it clear (e.g., 10 monthly payments for a number of classes, but no balloon payment stated). Perhaps debtor would have an easier time in not using the optional Chapter 11 form plan and disclosure statement and prepare a manually generated plan and disclosure statement and stating the proposed terms of the plan in a narrative.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits.
Appearances are required on 3/16/16, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. Debtor to address objections of United States Trustee and creditors to draft disclosure statement regarding adequacy of information. The source of funding of plan is unclear. No historical financial data or projections are provided, which should be provided for each property as well as the debtor's business and living expenses. Since it appears that this is probably a cramdown plan situation due to the dispute over appropriate interest rates on secured claims, Debtor should be prepared to discuss how he will prove the appropriate cramdown rates of interest (i.e., is debtor submitting expert witness opinion testimony on interest rates?). Appearances are required on 1/13/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#3.20 Cont'd status conference re: Management of chapter 11 case
fr. 2/21/18, 3/28/18, 4/4/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/16/18. No tentative ruling on the merits.
Appearances are required on 4/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits.
Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits.
Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. No tentative ruling on the merits.
Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits.
Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits.
Appearances are required on 11/15/17, but counsel may appear by
telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits.
Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. No tentative ruling on the merits.
Appearances are required on 4/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

CONT...

Stassen Conrad Goins

Chapter 11

Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits.
Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits.
Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits.
Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits.
Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits.
Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits.
Appearances are required on 5/18/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits.
Appearances are required on 3/16/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/12/16. Appearances are required on 1/13/16, but counsel may appear by telephone.

No updated tentative ruling as of 11/23/15. Appearances are required on 11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 10/19/15. Appearances are required on 10/21/15, but counsel may appear by telephone.

No updated tentative ruling as of 9/15/15. Appearances are required on 9/16/15, but counsel may appear by telephone.

No updated tentative ruling as of 9/8/15. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

9/9/15, but counsel may appear by telephone.

Prior tentative ruling as of 8/3/15. No tentative ruling on the merits.
Appearances are required on 8/5/15, but counsel may appear by telephone.

No updated tentative ruling as of 7/20/15. Appearances are required on
7/22/15, but counsel may appear by telephone.

No tentative ruling as of 7/6/15. Appearances are required on 7/8/15, but
counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

Movant(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 18, 2018

Hearing Room 1675

11:30 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#4.00 Hearing re: United States Trustee's motion for an order directing the appointment of a patient care ombudsman

Docket 110

Tentative Ruling:

No tentative ruling as of 4/16/18. Appearances are required on 4/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Agio Investment LLC VS Debtor)

Docket 487

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4), including retroactive annulment of stay, to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 4 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Movant(s):

Agio Investment LLC

Represented By
James S Yan

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#2.00 Hearing re: Motion for relief from stay
(U.S. Bank National Association VS Debtor)

Docket 200

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition.

No tentative ruling on request for stay annulment as movant has not shown that the legal standards of National Environmental Waste Corp. v. City of Riverside (In re National Environmental Waste Corp.), 129 F.3d 1052 (9th Cir. 1997) and In re Gasprom, Inc., 500 B.R. 598 (9th Cir. BAP 2013) have been met.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Appearances are required on 4/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Movant(s):

U.S. Bank National Association

Represented By
Matthew R. Clark III
Theron S Covey
Cassandra J Richey

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

2:17-25181 Victor S. Courtney

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Drive Time Carsales Company LLC VS Debtor)

Docket 12

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition.

No tentative ruling on request for retroactive annulment of stay since it is not clear why annulment is needed since the repossession took place on the same day that the petition was filed, but earlier in the day.

The 14-day waiting period under FRBP 4001(a)(3) is waived.

Appearances are required on 4/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Victor S. Courtney

Represented By
Jennifer Ann Aragon

Movant(s):

DriveTime Carsales Company LLC

Represented By
Caren J Castle

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

2:18-10971 Jerraine Craine

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(AmeriCredit Financial Services, Inc. dba GM Financial VS Debtor)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Jerraine Craine

Pro Se

Movant(s):

AmeriCredit Financial Services, Inc.

Represented By
Jennifer H Wang

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

2:18-11508 Aida Gelyana

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)

Docket 7

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Aida Gelyana

Represented By
Roland H Kedikian

Movant(s):

Toyota Motor Credit Corporation,

Represented By
Austin P Nagel

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

2:18-11584 Edward J Daub and Diana O Daub

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Ford Motor Credit Company LLC VS Debtors)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition.

No tentative ruling on request for retroactive annulment of stay since it is not clear why annulment is needed since the papers do not indicate that movant took any action in violation of stay in accepting the surrender of the vehicle. Movant otherwise to clarify why it needs annulment relief.

The 14-day waiting period under FRBP 4001(a)(3) is waived.

Appearances are required on 4/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Edward J Daub

Represented By
Daniel King

Joint Debtor(s):

Diana O Daub

Represented By
Daniel King

Movant(s):

Ford Motor Credit Company LLC

Represented By
Jennifer H Wang

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

2:18-11709 Rafael Madrigal Solorzano and Maria Dolres Solorzano

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(The Golden 1 Credit Union VS Debtors)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Rafael Madrigal Solorzano

Represented By
Daniel F Jimenez

Joint Debtor(s):

Maria Dolres Solorzano

Represented By
Daniel F Jimenez

Movant(s):

The Golden 1 Credit Union

Represented By
Brian T Harvey

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

CONT... Rafael Madrigal Solorzano and Maria Dolres Solorzano

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

2:18-12073 Joseph Sayed Baha

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(Bank of America, N.A.VS Debtor)

Docket 12

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Joseph Sayed Baha

Represented By
Roland H Kedikian

Movant(s):

Bank of America, N.A.

Represented By
Raffi Khatchadourian

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

CONT... Joseph Sayed Baha

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#9.00 Hearing re: Motion for relief from stay
(Western National Securities dba Western National Property Management VS Debtor)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#10.00 Hearing re: Motion for relief from stay
(Seabrook Apartments, LLC VS Debtor)

Docket 12

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Movant(s):

Seabrook Apartments, LLC

Represented By
Scott Andrews

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#11.00 Hearing re: Motion for relief from stay
(Pointe Niguel Partners L.P. VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Movant(s):

Pointe Niguel Partners L.P.

Represented By
Scott Andrews

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#12.00 Hearing re: Motion for relief from stay
(ST Apartments, LLC VS Debtor)

Docket 14

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Movant(s):

ST APARTMENTS, LLC

Represented By
Scott Andrews

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

2:18-13437 Robert Whitfield and LIBERTY FUND, LLC

Chapter 7

#13.00 Hearing re: Motion for relief from stay
(Liberty Fund, LLC VS Debtor)

Docket 4

Tentative Ruling:

No tentative ruling as to request for relief from stay pursuant to 11 U.S.C. 362(d)(1) in light of debtor's opposition to motion.

Deny request for relief from stay pursuant to 11 U.S.C. 362(d)(2) for lack of evidentiary support showing that debtor has no interest in the subject property. There is no certified title report indicating that debtor has no interest or no equity in the subject property.

Deny request for extraordinary relief in paragraph 11 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

Deny request for relief under 11 U.S.C. 362(b)(22) and (23) that there is no stay since movant has not met the conditions of these provisions with evidence of a judgment for possession under 11 U.S.C. 362(b)(22) and (23).

Movant requested relief under 11 U.S.C. 362(b)(22) and (23) without any reasonable basis in fact and law, and the court requires signing counsel for movant, Lane M. Nussbaum, to appear and show cause why sanctions of \$100 should not be imposed against him and his law firm, Nussbaum APC, for requesting such relief without a reasonable basis in fact and law under Fed. R. Bankr. P. 9011.

Appearances are required on 4/24/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

10:30 AM

CONT... Robert Whitfield and LIBERTY FUND, LLC

Chapter 7

Debtor(s):

Robert Whitfield

Pro Se

Movant(s):

LIBERTY FUND, LLC

Represented By
Lane M Nussbaum

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

1:30 PM

2:11-40813 Cinevision International, Inc.

Chapter 7

#14.00 Status conference re: Remand

Docket 253

Tentative Ruling:

No tentative ruling as of 4/23/18. Appearances are required on 4/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Cinevision International, Inc.

Represented By
Alan W Forsley
Andrew Edward Smyth

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Bradley J Yourist

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01113 Diamond, Chapter 7 Trustee, Plaintiff v. Premier Rehabilitation Services, a

#15.00 Cont'd status conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 8/29/17, 11/7/17, 2/6/18

Docket 1

***** VACATED *** REASON: Cont'd from 4/24/18 to 5/29/18 at 1:30 p.m.
per stip & order entered on 3/28/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/23/18. Off calendar. Continued by stipulation and order to 5/29/18 at 1:30 p.m. No appearances are required on 4/24/18.

Prior tentative ruling as of 2/5/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 2/6/18 to discuss scheduling of further proceedings, including timing of amendment of pleadings, the proposed extended discovery cutoff date and the setting of a pretrial conference, but counsel may appear by telephone. Defendants have demanded a jury trial, but the court will defer referral of the jury triable claims to the district court for jury trial until the pretrial conference which this court will conduct (unless defendant successfully moves the district court to withdraw the reference). Plaintiff's potential postpetition transfer claims are core claims within this court's jurisdiction and do not appear to be jury triable.

Prior tentative ruling as of 11/6/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 11/7/17 to discuss scheduling of further proceedings, including mediation completion, extended discovery cutoff date and trial, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. The court has reviewed the joint status report. No tentative ruling on the merits, but grant joint request to extend the discovery cutoff date to 9/30/17. Appearances are required on 8/29/17 to

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

discuss scheduling of a pretrial conference and the second mediation, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/23/17 to discuss scheduling of further proceedings, including extension of discovery cutoff date to 6/30/17 and setting a date for a pretrial conference, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 3/21/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 9/30/16 and to complete mediation by 1/17/17. Appearances are required on 5/3/16, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Premier Rehabilitation Services, a

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

1:30 PM

2:17-14783 Michael Merritt Pistello

Chapter 7

Adv#: 2:17-01320 Pistello v. ACS Education Services, Inc.

#16.00 Cont'd status conference re: Complaint to determine dischargeability of debt
fr. 8/15/17, 10/10/17, 12/12/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/23/18. Off calendar. The court has reviewed the joint status report stating that the matter is being settled and requesting a 4-week continuance of the status conference to document the settlement. The court on its own motion continues the status conference to 5/29/18 at 1:30 p.m. No appearances are required on 4/24/18. Counsel for defendant to give notice to plaintiff.

tentative ruling as of 12/11/17. The court has reviewed the joint status report. Set a discovery cutoff date of 3/31/18 and a further postdiscovery status conference for 4/24/18 at 1:30 p.m. with a joint status report due on 4/17/18. Order the matter to mediation under the court's mediation program, the parties are to file a request for selection of mediator and alternate mediator by 1/31/18 and complete mediation by 4/24/18. Appearances are required on 12/12/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/10/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Michael Merritt Pistello

Represented By
Mark J Markus

Defendant(s):

ACS Education Services, Inc.

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

1:30 PM

CONT... Michael Merritt Pistello

Chapter 7

Plaintiff(s):

Michael Merritt Pistello

Pro Se

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

1:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#17.00 Status conference re: Debtor's objection to creditor claim of Law Offices of Marilyn Smith
fr. 12/13/17, 3/2/18

Docket 140

Tentative Ruling:

Updated tentative ruling as of 4/23/18. As set for in its order of 2/6/18, the court intends to overrule the objection without prejudice in light of conversion of the case to Chapter 7 from 11 and the appointment of a Chapter 7 trustee if no appearance is made at the status conference on 4/24/18. Appearances are optional on 4/24/18, but counsel may appear by telephone.

Prior tentative ruling. Overrule debtor's objection to the claim of Law Offices of Marilyn Smith without prejudice because debtor did not include a copy of the proof of claim in the moving papers and list the number of the proof of claim as required by Local Bankruptcy Rule 3007-1(c)(2) and (a)(2), and because there is no proof of service of the objection (only the notice of objection). The court does not reach the merits of the objection or opposition to the objection until debtor remedies the procedural deficiencies of his objection. Appearances are required on 12/13/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Eugen Valentin Dietl Pro Se

Movant(s):

Eugen Valentin Dietl Pro Se

Trustee(s):

Wesley H Avery (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

1:30 PM

2:17-24369 Marvin Abel Sican Roca

Chapter 7

Adv#: 2:18-01047 Wesley H. Avery, Chapter 7 Trustee of the Bankrupt v. Sican Roca et al

#18.00 Status conference re: Trustee's complaint for: (1-3) avoidance of fraudulent transfer; (4) recovery of avoided transfer; (5) a declaratory judgment quieting title to real property; (6) imposition of a constructive trust; (7) accounting; (8) turnover; (9) injunctive relief; (10) sale of a property in which a non-debtor asserts an interest; and (11) denial of discharge

Docket 1

***** VACATED *** REASON: Cont'd from 4/24/18 to 6/26/18 at 1:30 p.m.
order entered on 4/18/18-mb.**

Tentative Ruling:

Off calendar. Continued to 6/26/18 at 1:30 p.m. by order entered on 4/18/18.
No appearances are required on 4/24/18.

Party Information

Debtor(s):

Marvin Abel Sican Roca

Represented By
Daniel King

Defendant(s):

Marvin Abel Sican Roca

Pro Se

Angelica Maria Rodriguez

Pro Se

Oscar L. Sican

Pro Se

Angelica Sican Martinez

Pro Se

Bayview Loan Servicing, LLC.

Pro Se

Joint Debtor(s):

Angelica Maria Rodriguez

Represented By
Daniel King

Plaintiff(s):

Wesley H. Avery, Chapter 7 Trustee

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

1:30 PM

CONT... Marvin Abel Sican Roca

Chapter 7

Zi Chao Lin
Adjoa Anim-Appiah

Trustee(s):

Wesley H Avery (TR)

Represented By
Zi Chao Lin

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

2:30 PM

2:12-30028 MEHRDAD TAHERIPOUR

Chapter 7

Adv#: 2:13-01443 Gill et al v. Nexgen Energy Holdings PCC, an Isle of Mann Compan

#19.00 Hearing re: Plaintiff's motion for default judgment Linda Shetabi

Docket 249

Tentative Ruling:

Updated tentative ruling as of 4/23/18. Trustee should clarify: (1) how debtor held title in the subject real property to explain the relationship between the property and defendant Shetabi since this is not specifically described in the third amended complaint (i.e., was property held as community property?); and (2) one of the three sales comparables in the appraisal report had an incomplete transaction date and may need to be corrected. Appearances are required on 4/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

MEHRDAD TAHERIPOUR

Represented By
Alan F Broidy

Defendant(s):

Nexgen Energy Holdings PCC, an

Pro Se

Wilton Group

Pro Se

Anthony Barber

Pro Se

Tony Flanagan

Pro Se

Nicole Hewson

Pro Se

Ebrahim Kahen-Kashani

Represented By
Mary Der-Parseghian - INACTIVE -

Beneficiaries of Private Trust J999

Pro Se

Linda Shetabi

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

2:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

Plaintiff(s):

DAVID Gill

Represented By
Michael T Boardman

Diane C. Weil

Represented By
Nathan D Meyer

Trustee(s):

Diane C Weil (TR)

Represented By
Eric P Israel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

2:30 PM

2:12-30028 MEHRDAD TAHERIPOUR

Chapter 7

Adv#: 2:13-01443 Gill v. Nexgen Energy Holdings PCC

#20.00 Cont'd status conference re: Trustee's complaint to avoid and recover for fraudulent transfer; and for preliminary injunctions fr. 11/28/17, 1/30/18, 3/27/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits. Appearances are required on 3/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/17. Off calendar. The court has reviewed plaintiff's unilateral status report and noted that the docket reflects that default has been entered against defendant Shetabi on the third amended complaint. The court on its own motion continues the status conference for about 60 days to 3/27/18 at 1:30 p.m. to allow time for plaintiff to file a renewed motion for entry of default judgment. No appearances are required on 1/30/18.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 9/25/17. No tentative ruling on the merits. Appearances are required on 9/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/5/17. The court has reviewed trustee's unilateral status report. No tentative ruling on the merits. Appearances are required on 6/6/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/7/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

2:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits. Appearances are required on 1/10/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/16. The parties in their joint status report indicated that they had an interest in mediation. Perhaps the parties can consider and discuss the possibility to refer the matter first to mediation before proceeding with full-blown litigation of the remaining claims. Appearances are required on 10/11/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/2/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/6/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 6/20/16. The court has reviewed the joint status report of some of the parties appearing in this matter, including the attached statement of the Burris Parties, as well as the separate status statement of Eric Herrera.

The court also notes the parties used an obsolete version of the Joint Status Report form from December 2012, and in the future, the parties should use the current version of the form adopted in December 2015. The new joint status report form solicits the parties' positions as to whether they consent to the bankruptcy court's determination of noncore claims in light of *Stern v. Marshall*, 131 S.Ct. 2594 (2011), *Executive Benefits Insurance Agency v. Arkison*, 134 S.Ct. 2165 (2014) and *Wellness International Network, Ltd. v. Sharif*, 135 S.Ct. 1932 (2015). If consent of all parties is given, the bankruptcy court will enter a final judgment, but if consent of all parties is not given, then the court will issue proposed findings of fact and conclusions of law for de novo review by the district court. *Id.*

Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 12/8/2014. Off calendar. The court has issued an order vacating the hearings and taking the matters under submission.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

2:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

Revised tentative ruling as of 12/2/14. Off calendar. The court continues the status conference on its motion to 12/9/14 at 2:00 p.m. due to congestion on the court's calendar, its continuing deliberation on the various dismissal motions. and the inclement weather today. No appearances are required on 12/2/14.

Prior tentative ruling as of 12/1/14. No tentative ruling. Appearances are required on 12/2/14. Counsel may appear telephonically.

Prior tentative ruling as of 11/24/14. Off calendar. The status conference is continued on the court's own motion to 12/2/14 at 3:30 p.m. in light of the continuances of the pending motions to dismiss. No appearances are required on 11/25/14.

Tentative ruling as of 11/17/14. Off calendar, continued to 11/25/14 at 3:30 p.m. by order entered 11/17/14. Appearances are not required on 11/18/14.

Updated tentative ruling as of 8/25/14. Off calendar. The court on its own motion continues the status conference to 9/23/14 at 2:30 p.m. to be conducted with the hearings on the defendants' motions to dismiss the third amended complaint. No appearances are required on 8/26/14

Prior tentative ruling as of 7/28/14. Off calendar. The court has reviewed the appearing parties' status report and continues the status conference to 8/26/14 at 1:30 p.m. in light of the dismissal of the second amended complaint and the time for filing and serving a third amended complaint has not expired. No appearances are required on 7/29/14

Prior tentative ruling as of 6/2/14. Off calendar. The court has reviewed the appearing parties' status report and continues the status conference to 7/29/14 at 1:30 p.m. in light of the pending motions of several defendants to dismiss to be heard on 6/17/14 and 7/8/14 and in light of plaintiff's continuing efforts to effect service of process on other defendants. No appearances are required on 6/3/14

Prior tentative ruling as of 1/13/14. Off calendar. To be heard at 3:00 p.m.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

2:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

calendar with plaintiff's motion to file amended complaint. Appearances are required on 3:00 p.m. calendar, not at 1:30 p.m..

No updated tentative ruling as of 11/25/13. Appearances are required on 11/26/13, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Appearances are required on 10/15/13 to discuss scheduling and the status of mediation since the parties do not agree. Since the parties intend to bring cross-motions for summary judgment, the court request the parties to discuss and consider trying the case on stipulated facts in lieu of cross-motions for summary judgment.

Prior tentative ruling The court has reviewed the joint status report. Appearances are required on 6/11/13 to discuss scheduling and mediation since the parties do not agree.

Party Information

Debtor(s):

MEHRDAD TAHERIPOUR

Represented By
Alan F Broidy

Defendant(s):

Nexgen Energy Holdings PCC

Pro Se

Plaintiff(s):

DAVID Gill

Represented By
Nathan D Meyer

Trustee(s):

David A Gill (TR)

Pro Se

David A Gill (TR)

Represented By
David A Gill (TR)

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

2:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

2:30 PM

2:17-18962 Alexander Yulish

Chapter 7

#21.00 Hearing re: Trustee's motion (1) to approve certain sale procedures for debtors artwork and (2) for authority to enter into consignment agreement with Ace Gallery

Docket 64

Tentative Ruling:

Grant trustee's motion to approve certain sale procedures for debtor's artwork and for authority to enter into consignment agreement with Ace Gallery for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 4/24/18, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Alexander Yulish

Represented By
Todd L Turoci

Movant(s):

Brad D Krasnoff (TR)

Represented By
Sonia Singh
Eric P Israel

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Sonia Singh
Eric P Israel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

2:30 PM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#22.00 Hearing re: Motion for authority to obtain post-petition insurance premium financing to obtain property insurance policy

Docket 60

Tentative Ruling:

Grant debtor's motion for authority to obtain post-petition insurance premium financing to obtain property insurance for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 4/24/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Fox Property Holdings, LLC

Represented By

Timothy J Yoo

Juliet Y Oh

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

3:00 PM

2:17-17863 Sharon Kelly

Chapter 7

Adv#: 2:17-01415 Gross v. Kelly

#23.00 Hearing re: Motion for summary judgment, or alternatively for summary adjudication of the 1st and 2nd claims for relief

Docket 39

Tentative Ruling:

Revised tentative ruling as of 4/23/18 at 5:30 p.m. Off calendar. The court is issuing a written order continuing the hearing on the motion to 5/23/18 at 1:30 p.m. The order requires the parties to redact personal identifier information in their papers as required by FRBP 7037 and LBR 7037-1. The parties improperly stated the names of minor children and other personal identifiers in their papers. The parties also cited to numerous unreported court decisions in their papers and failed to provide the court with unmarked, complete copies of these decisions as required by LBR 9013-2(c)(3)(D). No appearances are required on 4/24/18.

Party Information

Debtor(s):

Sharon Kelly

Represented By
Richard T Baum

Defendant(s):

Sharon Kelly

Represented By
Cassandra K. Riles

Movant(s):

Mark P. Gross

Represented By
Gary A Starre

Plaintiff(s):

Mark P. Gross

Represented By
Gary A Starre

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, April 24, 2018

Hearing Room 1675

3:00 PM

CONT... Sharon Kelly

Chapter 7

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#1.00 EVIDENTIARY HEARING RE: United States Trustee's motion under 11 U.S.C. § 1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon fr. 1/17/18

Docket 36

***** VACATED *** REASON: Withdrawn per notice filed on 3/26/18-pp.**

Tentative Ruling:

Update d tentative ruling as of 4/23/18. Off calendar. Evidentiary hearing vacated by order filed on 4/11/18. No appearances are required on 4/25/18.

Revised tentative ruling as of 1/16/18. The court is considering granting motion of United States Trustee to dismiss, convert or appoint trustee for the reasons stated in the moving papers for lack of compliance with United States Trustee information reporting requirements under 11 U.S.C. 1112(b)(4)(H) since cause may be shown by the moving papers and is not apparently disputed by debtor. However, before the court concludes that cause is shown under 11 U.S.C. 1112(b)(4)(H), the court could allow debtor an opportunity to cure the United States Trustee information reporting deficiencies and allow the case to proceed.

If the court determines that cause is shown under 11 U.S.C. 1112(b)(4)(H), the court must consider and decide whether conversion, dismissal or trustee appointment is in the best interests of creditors and the estate under 11 U.S.C. 1112(b)(1). In re Sullivan, 522 B.R. 604, 612 (9th Cir. BAP 2014). However, there are conflicting positions among creditors regarding whether the case should be dismissed, converted to Chapter 7, or a trustee appointed in the best interests of creditors and the estate and the United States Trustee has no recommendation as between dismissal or conversion. One creditor, the judgment creditor Second Generation, Inc., contends that trustee appointment or conversion is in the best interests of creditors and the estate because the creditors supporting dismissal are sham creditors and debtor's schedules and monthly operating reports reflect an unexplained dissipation of about \$240,000 in bank deposits shortly after petition date. The creditors supporting dismissal assert that they are owed large amounts and that

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

9:00 AM

CONT... **Kody Branch of California, Inc.**

Chapter 11

conversion or trustee appointment will not allow the debtor to continue to operate to generate business revenue to pay them back. In making its determination of what is in the best interests of creditors and the estate, it is not simply a matter of the majority vote of creditors or which is largest and most vocal creditor, but what is in the best interests of all creditors. In re Sullivan, 522 B.R. at 612-613. The court believes that in fairness to the parties that it should conduct an evidentiary hearing if cause is found to determine whether it should dismiss or convert the case or appoint a trustee and hear testimony and receive evidence from debtor and creditors and interested parties, such as the United States Trustee, to resolve the contentions of the disputing parties on dismissal, conversion or trustee appointment (i.e., whether the allegedly suspect creditors which support dismissal have bona fide claims, whether debtor has an explanation for the alleged postpetition dissipation of its bank deposits). Appearances are required on 1/17/18, but counsel may appear by telephone. The court will set a schedule for the evidentiary hearing after considering the views and pretrial needs of the parties, including discovery.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz
Ryan D ODea
Leonard M Shulman

Movant(s):

United States Trustee (LA)

Represented By
Hatty K Yip

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/10/18, 1/17/18

Docket 1

***** VACATED *** REASON: Hearing advanced to 4/18/18 at 11:00 a.m.
per order entered on 4/17/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/23/18. Off calendar. Status conference advanced to 4/18/18 at 11:00 a.m. by prior order. No appearances are required on 4/25/18.

Prior tentative ruling as of 1/12/18. Appearances are required on 1/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
David B Golubchik
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:12-15652 Dale Alfred Williams

Chapter 11

#3.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/10/18, 2/28/18, 3/28/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 4/25/18 at 11:30 a.m. No appearances are required on 3/27/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 3/28/18 at 11:30 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/8/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 2/28/18 at 11:30 a.m. No appearances are required on 1/10/18.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

Prior tentative ruling as of 9/11/17. Off calendar. In light of the pending motion of the United States Trustee to dismiss or convert now set for hearing on 10/25/17 at 11:30 a.m., the court on its own motion continues the status conference to 10/25/17 at 11:30 a.m. No appearances are required on 9/13/17.

Prior tentative ruling as of 4/3/17. Off calendar. In light of the pendency of the litigation proceedings involving debtor's objection to the tax claims, the court on its own motion continues the status conference to 9/13/17 at 11:00 a.m. No appearances are required on 4/5/17.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/15/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/16/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/9/15. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

that consummation of the plan will be deferred until resolution of litigation disputes of debtor's objection to the IRS claim and creditor Rory Williams's motion to file late-filed claim. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of debtor's objection to the IRS claim. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 8/25/14. Appearances are required on 8/27/14 to schedule a post-confirmation status conference, but counsel may appear by telephone.

Prior tentative ruling. The court continues on its own motion the status conference to 8/27/14 at 11:00 a.m. at which time the court will set a post-confirmation status conference in November 2014 since a post-confirmation status conference was not set at the confirmation hearing on 7/24/14. No appearances are required on 8/21/14

Party Information

Debtor(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

Movant(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT...

Dale Alfred Williams

Leonard M Shulman

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:13-12977 Dowent Family LLC

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/25/17, 1/17/18, 3/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/19/18. Off calendar. The court continues the status conference on its own motion to 4/25/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/25/18. No appearances are required on 3/21/18.

Prior tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Prior tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Prior tentative ruling as of 1/23/17. Off calendar. The court continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 11/28/16. Off calendar. The court continues the status conference on its own motion to 1/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/25/17. No appearances are required on 11/30/16.

Prior tentative ruling as of 10/24/16. Off calendar. The court continues the status conference on its own motion to 11/29/16 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 11/29/16. No appearances are required on 10/26/16.

Prior tentative ruling as of 9/26/16. Off calendar. The court has reviewed debtor's status report and continues the status conference on its own motion to 10/26/16 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/26/16. No appearances are required on 9/27/16.

Prior tentative ruling as of 7/25/16. Appearances are required on 7/27/16, but counsel may appear by telephone.

Updated tentative ruling as of 1/12/16. The court has reviewed debtor's status report. Appearances are required on 1/13/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

No updated tentative ruling as of 9/8/15. Appearances are required on 9/9/15, but counsel may appear by telephone.

Prior tentative ruling as of 7/6/15. No tentative ruling on the merits. Appearances are required on 7/8/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/30/15. Appearances required on 3/31/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/30/15. Appearances required on 3/31/15, but counsel may appear by telephone.

Prior tentative ruling as of 9/29/14. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 10/1/14, but counsel may appear by telephone.

Updated tentative ruling as of 6/16/14. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 6/18/14, but counsel may appear by telephone.

Prior tentative ruling as of 2/17/14. No tentative ruling on the merits. Appearances are required on 2/19/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

Party Information

Debtor(s):

Dowent Family LLC

Represented By
Todd C. Ringstad

Movant(s):

Dowent Family LLC

Represented By
Todd C. Ringstad

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:13-26021 L Scott Apparel Inc.

Chapter 11

#5.00 Cont'd status conference re: Post confirmation of plan
fr. 10/25/17, 1/17/18, 3/21/18

Docket 140

Tentative Ruling:

Updated tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/19/18. Off calendar. The court continues the status conference on its own motion to 4/25/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/25/18. No appearances are required on 3/21/18.

Prior tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Corrected tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Updated tentative ruling as of 1/23/17. Off calendar. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 10/17/16. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. In light of the current pending litigation, especially the Sharron adversary proceeding, it seems that a further status conference should be set in about 120 days. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 12/1/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 12/2/15, but counsel may appear by telephone.

Prior tentative ruling as of 7/27/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 7/29/15 to discuss scheduling of further post-confirmation proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 3/9/15. The court has reviewed liquidating

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

trustee's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of claims as described in the status report. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/2/14. Appearances are required on 9/3/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 9/3/14 at 11:00 a.m. to allow the parties a limited opportunity to continue in plan modification negotiations. No appearances are required on 8/21/14.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

Movant(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#6.00 CONT'D TRIAL RE: Final application for approval of compensation and expense reimbursement of Baker & Hostetler LLP fr. 1/24/18, 2/28/18, 3/28/18

Docket 482

Tentative Ruling:

Updated tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. Updated tentative ruling as of 5/11/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Ashley McDow. Appearances are required on 5/12/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 5/1/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Marc Benezra. Appearances are required on 5/3/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#7.00 Cont'd hearing re: Motion for entry of order conditionally dismissing bankruptcy case fr. 1/24/18, 2/28/18, 3/28/18

Docket 479

Tentative Ruling:

Updated tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. Appearances are required on 3/22/17.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. The court has concerns regarding the propriety of a "structured" dismissal (called "conditional" dismissal in the moving papers), i.e., whether the record is sufficient to warrant deviation from the normal procedures expressly provided in the Bankruptcy Code, i.e., a liquidating plan, case conversion or straight dismissal without conditions, or whether more broadly, whether structured dismissals are permitted at all, which may be at issue before the Supreme Court in *In re Jevic Holding Corp.*, 787 F.3d 173 (3rd Cir. 2015), cert. granted, *Czyzewski v. Jevic Holding Corp.* 136 S.Ct. 2541 (2016). See also, Transcript of Oral Argument, *Czyzewski v. Jevic Holding Corp.*, No. 15-649 (S.Ct., argued December 7, 2016); see also, e.g., Salerno, Hansen, Meyer, Schuster and Barsharis, *Advanced Chapter 11 Bankruptcy Practice*, Section 12.22 (2nd ed. online, 2016 Cum. Supp.); Greenberg, Smith and Taylor, "The Elephant Hiding in the Mousehole": *In re Jevic*, 2016 No. 10 Norton Bankr. L. Adviser NL 1 (online ed., October 2016); Pernick and Dean, "Structured Chapter 11 Dismissals: A Viable and Growing Alternative After Asset Sales," 29 *Am. Bankr. Inst. J.* 1 (June 2010); Eitel, Tinker and Lambert, "Structured Dismissals, or Cases Dismissed Outside of Code's Structure?", 30 *Am. Bankr. Inst. J.* 20 (March 2011). Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#8.00 Cont'd hearing re: Motion for approval of chapter 11 disclosure statement
fr. 1/24/18, 2/28/18, 3/28/18

Docket 157

Tentative Ruling:

Updated tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Updated tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

Updated tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC
required on 4/13/16.

Chapter 11

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/15/14. Appearances are required on 4/16/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan. Debtor has indicated that it intends to revise the disclosure statement to address objections of United States Trustee.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

Movant(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#9.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/24/18, 2/28/18, 3/28/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the status conference on its own motion to 12/13/17 at 11:00 a.m. and dispenses

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

with the requirement of a written status report for the status conference on 12/13/17. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court has reviewed debtor's status report. In that the court is still deliberating on the final fee application of general bankruptcy counsel for debtor, the court continues the status conference on its own motion to 10/25/17 at 1:30 p.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Updated tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

Prior tentative ruling as of 1/25/16. The court has reviewed debtor's status report. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. No tentative ruling on the merits. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

No updated tentative ruling as of 4/15/14. Appearances are required on 4/16/14.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan.

Prior tentative ruling as of 3/10/14. No tentative ruling on the merits. Appearances are required on 3/12/14, but counsel may appear by telephone.

Updated tentative ruling as of 2/24/14. No tentative ruling on the merits. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/14. The court has reviewed debtor's status report and the comments of the secured creditor on status. No tentative ruling. Appearances are required on 2/5/13, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 11/19/13. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/13. No tentative ruling on the merits. Appearances are required on 10/9/13.

Updated tentative ruling as of 9/18/13. Off calendar. Continued at hearing on 9/17/13 to 10/9/13 at 11:30 a.m. No appearances required on 9/18/13.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/18/13, but counsel may appear by telephone.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#10.00 Hearing re: Motion for approval of the sufficiency of debtor's chapter 11 disclosure statement describing debtor's plan of reorganization

Docket 68

Tentative Ruling:

Deny approval of disclosure statement because: (1) plan is patently unconfirmable because it modifies loan secured by lien on debtor's principal residence in violation of 11 U.S.C. 1125(b) (plan modifies contractual interest rate on first and second secured home loans) and it does not propose a cure of outstanding arrearages on home mortgages in accordance with 11 U.S.C. 1124(2)(10 year payment of arrearages is discriminatory compared with 5 year payment of general unsecured claims); (2) disclosure statement lacks adequate information regarding plan feasibility since no financial history or financial projections are provided. Appearances are required on 4/25/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By
David I Brownstein

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#11.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/30/17, 12/6/17, 2/28/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/17. The court has reviewed debtor's status report filed on 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

Updated tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By
Joshua L Sternberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#12.00 CONT'D EVIDENTIARY HEARING RE: Motion for relief from stay
(U.S. Bank Trust N.A. VS Debtor)
fr. 11/7/17, 1/4/18, 3/21/18

Docket 79

Tentative Ruling:

Updated tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/3/18. On movant's claim under 11 U.S.C. 362(d)(2), it has met its burden of proof under 11 U.S.C. 362(g)(1) to demonstrate lack of equity in the subject property based on the stipulated value for the property. Debtor as the party opposing relief has the burden on the remaining issue of demonstrating under 11 U.S.C. 362(g)(2) and (d)(2) that the property is necessary to its effective reorganization, i.e., a confirmed reorganization plan is in reasonable prospect. Specifically, debtor must produce some evidence that its plan could be confirmed by a reasonable bankruptcy judge. In re Bonner Mall Partnership, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). Debtor's projected income based on its principal's consulting income of \$12,500 per month is not supported by any credible evidence for this projection. The demonstrated history in this case does not support the projection, and there is no credible explanation of how the income can be generated at that level to demonstrate plan feasibility under 11 U.S.C. 1129(a)(11). Debtor has not shown that it is likely to have at least one impaired class of claims to accept its plan under 11 U.S.C. 1129(a)(10) since there is no credible evidence indicating any creditor support for the plan (debtor's conclusory assertions are not evidence). Based on what has been submitted in the papers, the court is inclined to find that debtor has not met its burden of proof on the second prong of 11 U.S.C. 362(d)(2) that the property is necessary for its effective reorganization, i.e., that its plan could be confirmed by a reasonable bankruptcy judge and that the stay relief motion should be granted.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... SK Vision LLC

Chapter 11

Appearances are required on 1/4/18.

Prior tentative ruling as of 11/6/17. Appearances are required on 11/7/17, but counsel may appear by telephone.

No updated tentative ruling as of 10/24/17. Appearances are required on 10/24/17, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set schedule of pretrial and trial proceedings. Appearances are required on 9/26/17 to discuss the parties' respective pretrial needs, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#13.00 Hearing re: Disclosure statement

Docket 109

Tentative Ruling:

No tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#14.00 Cont'd status conference re: Management of chapter 11 case
fr. 12/13/17, 1/4/18, 3/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/3/18. No tentative ruling on the merits.
Appearances are required on 1/4/18, but counsel may appear by telephone.

Updated tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits.
Appearances are required on 10/18/17, but counsel may appear by
telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but
counsel may appear by telephone.

Prior tentative ruling as of 5/1/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
5/3/17, but counsel may appear by telephone.

No tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but
counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... SK Vision LLC

Chapter 11

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#15.00 Cont'd hearing re: Motion for order authorizing and approving adequacy of debtor's disclosure statement describing debtor's chapter 11 plan fr. 12/6/17, 2/21/18

Docket 158

Tentative Ruling:

Updated tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits. Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling. Deny approval of proposed disclosure statement for lack of adequate information. The disclosure statement does not contain the information normally expected, such as the matters identified in *In re Metrocraft Pub. Servs. Inc.*, 30 B.R. 567, 568 (Bankr. N.D. Ga. 1984) discussed in the moving papers. The disclosure statement does not give meaningful information to creditors about how the plan works; it is just a collection of spreadsheets with little explanation. There is no explanation of how payments are going to be made under the plan, monthly, quarterly, annually, etc. There is a computation of net income on Exhibit C, but that does not translate into how plan payments are going to be made to creditors. The financial history spreadsheet, Exhibit D, is sparse and uninformative as to both the income and expenses of debtor, and just provides summary figures from the MORs.

The liquidation analysis, Exhibit G, is incomplete, and may not necessarily reflect the correct net equity of debtor since the asset values and encumbrances differ for each piece of collateral, and simply aggregating them does not necessarily mean that there is total negative net equity of the estate as computed (i.e., there is no explanation of the liens, whether they are only as to specific collateral or blanket liens). Debtor says there is no need to consider Chapter 7 administrative costs since there is negative net equity in debtor's assets in the aggregate, but these should be computed.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

The court should also deny approval of the disclosure statement because the debtor's proposed new value plan on its face gives the exclusive new value opportunity to its sole shareholder, Ji K. Lim, and is not sufficiently market tested within the meaning of Bank of America National Trust and Savings Association v. 203 North LaSalle Street Partnership ("LaSalle"), 526 U.S. 434 (1999); see also, In re NNN Parkway 400 26, LLC, 505 B.R. 277, 281-283 (Bankr. C.D. Cal. 2014)(Albert, J.); see also, In re Arnold, 471 B.R. 578, 586 (Bankr. C.D. Cal. 2012)(approval of disclosure statement should be denied if plan is nonconfirmable on its face). As Judge Albert observed in NNN Parkway 400 26, LLC, "LaSalle requires that the quantum of new value be market tested; otherwise the parties and the court cannot know whether the amount of new value is most available. And if more (or better) could be gotten elsewhere, then the equity is effectively keeping a form or property or interest in the debtor despite not paying the dissenting creditors in full, by exercising its exclusive 'option' to direct/determine the source of the new value. But LaSalle is frustratingly vague as to what exactly a debtor must do to 'market test' the interest; the Supreme Court expressly left the question open while naming some alternatives, such as the right to bid for the same interest or the right to file a competing plan." In re NNN Parkway 400 26, LLC, 505 B.R. at 281, citing LaSalle, 526 U.S. at 458; see also, LaSalle, 526 U.S. at 455 ("It is doomed, we can say without necessarily exhausting its flaws, by its provision for vesting equity in the reorganized business in the Debtor's partners without extending an opportunity to anyone else either to compete for that equity or to propose a competing reorganization plan."). "[D]ebtors bear the burden of showing that the new money offered is the most and best reasonably obtainable after some 'market testing' . . . This probably requires, at a minimum, demonstration of a systematic effort designed to 'market test' the deal." In re NNN Parkway 400 26, LLC, 505 B.R. at 283. There is no demonstration of any systematic effort designed to "market test" the deal shown in debtor's papers as far as this court can see.

The court also agrees with the objections of the committee and creditor Bank of Hope regarding the inadequacy of information regarding the new value contribution, the payment to unsecured creditors, the identification of postconfirmation directors and officers, treatment of creditor claims and impairment of secured claims.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Debtor uses the court form Chapter 11 plan and disclosure statement which are designed in part for individual Chapter 11 cases and simple Chapter 11 cases, and debtor does not use the official court attachments for these forms, but provides its own custom form attachments deviating from the court form attachments, and provide much less information than required by the court form attachments. In this case, debtor's use of these court forms is really uninformative, and debtor should use more traditional, narrative form plan documents to cover the Metrocraft factors.

Appearances are required on 12/6/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#16.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/11/17, 1/17/18, 2/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. No tentative ruling on the merits.
Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/10/17. No tentative ruling on the merits.
Appearances are required on 10/11/17, but counsel may appear by
telephone.

Revised tentative ruling as of 7/25/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
7/26/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits, but the court notes that the cash flow projection
described as Exhibit A was not attached to the status report. Appearances
are required on 4/19/17 to discuss setting of claims bar date and further
proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#17.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/30/17, 10/25/17, 1/24/18

Docket 1

***** VACATED *** REASON: Cont'd from 4/25/18 to 6/27/18 at 11:00 a.m.
per stip & order entered on 4/23/18-mb.**

Tentative Ruling:

Off calendar. Continued to 6/27/18 at 11:00 a.m. by order entered on 4/23/18. No appearances are required on 4/25/18.

Updated tentative ruling as of 1/22/18. No tentative ruling on the merits. Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits. Appearances are required on 10/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Shapphire Resources, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#18.00 Cont'd hearing re: Disclosure statement
fr. 3/21/18

Docket 62

Tentative Ruling:

Updated tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling. The disclosure statement does not contain adequate information. Regarding treatment of secured claims, the text in the plan refers to Article II, but no Article II is attached. Exhibit C to the plan refers to certain notes for each claim, but these notes do not adequately spell out the treatment of the primary secured claim to Wells Fargo Bank, the senior secured lender for the loan on debtor's residence. The disclosure statement should have a more detailed description of how this claim will be treated under the plan. The plan itself is not much better. It is hard to tell what is being proposed for treatment of the claim. The disclosure statement and plan will have to be revised for sake of clarity. If this is a cramdown situation, it does not appear that a 40 year payout is fair and equitable for this creditor, and debtor should probably consider taking out this creditor when the loan matures under the existing terms. Appearances are required on 3/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Peter G. Kudrave

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#19.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/31/18, 1/31/18, 3/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits.
Appearances are required on 1/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
8/9/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 8/9/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

Peter G. Kudrave

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:17-24478 Julie Gamido

Chapter 11

#20.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/17/18

Docket 1

***** VACATED *** REASON: Case dismissed per order entered on 4/23/18
-mb.**

Tentative Ruling:

Case dismissed pursuant to Order Granting Motion to Dismiss Case entered
4/23/18. No appearances are required on 4/25/18.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 1/17/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Julie Gamido

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#21.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. The claims bar date should be at least 60 days from the date of notice of bar date to creditors, so 6/1/18 is not appropriate. Otherwise, no tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

1:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#22.00 Cont'd hearing re: Application to convert case to chapter 7 cased upon debtor's failure to comply with prior court order
fr. 2/28/18, 3/21/18, 4/2/18

Docket 314

Tentative Ruling:

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

No tentative ruling as of 2/26/18. Appearances are required on 2/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

1:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#23.00 Cont'd hearing re: Motion to value collateral supporting claim 7-1
[11 U.S.C. §506(a), FRBP 3012]
fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 223

Tentative Ruling:

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

1:00 PM

CONT... Swing House Rehearsal and Recording, Inc. and Philip Chapter 11
10/26/17, the hearing on 11/2/17 will be treated as a status conference.
Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

1:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#24.00 Cont'd hearing re: Motion to modify plan
fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 263

Tentative Ruling:

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 and the related motion to modify plan set for 11/2/17 at 9:00 a.m. will

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

1:00 PM

CONT... Swing House Rehearsal and Recording, Inc. and Philip Chapter 11
be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m.
Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

1:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#25.00 Cont'd status conference re: Confirmation of plan
fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

1:00 PM

CONT... Swing House Rehearsal and Recording, Inc. Chapter 11

11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

1:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#26.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/30/17. No tentative ruling on the merits. Appearances are required on 11/2/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

1:00 PM

CONT... Swing House Rehearsal and Recording, Inc. Chapter 11

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.
Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

1:00 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

#27.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/17. No tentative ruling on the merits. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

1:00 PM

CONT... Philip Joseph Jaurigui Chapter 11

Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.
Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

1:00 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

Adv#: 2:17-01245 7175 WB, LLC v. Jaurigui

#28.00 Cont'd status conference re: Complaint to determine nondischargeability of debt (11 U.S.C. §§523(a)(2) and (a)(6))
fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, April 25, 2018

Hearing Room 1675

1:00 PM

CONT... Philip Joseph Jaurigui Chapter 11

Updated tentative ruling as of 11/6/17. No tentative ruling on the merits.
Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/27/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

7175 WB, LLC

Represented By
Michael D Good

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, April 26, 2018

Hearing Room 1675

9:00 AM

2:13-37216 Albert Talassazan

Chapter 7

#1.00 TRIAL RE: Motion for order disallowing claim no. 10-1 (Abraham Talassazan)
fr. 10/3/17, 11/7/17

Docket 133

***** VACATED *** REASON: Trial of 4/26/18 vacated per hearing held on
3/27/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/16/18. Off calendar. Trial vacated at hearing on 3/27/18 based on parties' representation that the matter is being settled, and a status conference is set for 5/29/18 at 2:00 p.m. No appearances are required on 4/26/18.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set a schedule of pretrial and trial proceedings. The court will treat the hearing as a status conference. Parties should attempt to consult regarding their pretrial needs, such as discovery, and suggest a proposed schedule to the court at the hearing.

To the extent that the trustee contends that the claim lacks documentation, that objection may not be valid because it is not necessarily based on a writing since it seems that creditor lent money to debtor without a writing, such as a promissory note, but the record is unclear. An objection to claim based on lack of documentation if the claim is not based on a writing is not well-taken. See *In re Los Angeles International Airport Associates*, 106 F.3d 1479 (9th Cir. 1997). It seems that the trustee's objection goes to the substance as opposed to just the lack of documentation since trustee relies upon debtor's schedules listing the debt at \$400,000. Given the deficiencies in pleading on both sides, the court believes that the parties should be given the benefit of a doubt and be allowed to present evidence in support of their respective positions for and against the claim and litigate the contested matter of the trustee's objection to creditor's claim in accordance with the usual burdens of proof associated with claims litigation as the Bankruptcy Appellate Panel of the Ninth Circuit stated in *In re Campbell*, 336 B.R. 430 (9th Cir. BAP 2005). Appearances are required on 11/7/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, April 26, 2018

Hearing Room 1675

9:00 AM

CONT... Albert Talassazan

Chapter 7

Party Information

Debtor(s):

Albert Talassazan

Represented By
Kenderton S Lynch

Trustee(s):

Peter J Mastan (TR)

Represented By
Reem J Bello
Jeffrey I Golden
Christopher J Green

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

10:00 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#1.10 Cont'd hearing re: United States Trustee's motion for an order directing the appointment of a patient care ombudsman fr. 4/18/18

Docket 110

Tentative Ruling:

Updated tentative ruling as of 4/30/18. No tentative ruling on the merits. Appearances are required on 5/1/18, but counsel may appear by telephone.

No tentative ruling as of 4/16/18. Appearances are required on 4/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

10:30 AM

2:13-14135 Art and Architecture Books of the 21st Century and 400 S.

Chapter 11

#1.00 Hearing re: Motion for relief from stay
(Bankers Standard Insurance Company as subrogee of Charles A. Turney VS Debtor)

Docket 2318

Tentative Ruling:

In light of plan agent's opposition to the motion, appearances are required on 5/1/18. The court is inclined to grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue recovery only against applicable insurance for the reasons stated in the moving papers.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Movant(s):

Bankers Standard Insurance

Represented By
Robert W Phelan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

10:30 AM

2:18-10714 Martha Leticia Salas

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(HSBC Bank USA VS Debtor)

Docket 16

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition.

No tentative ruling on request for relief under 11 U.S.C. 362(d)(4) because no service was made on the original borrower and this court generally requires service on the original borrower for due process concerns. In re Dorsey, 476 B.R. 261, 270 (Bankr. C.D. Cal. 2012).

Deny the request for extraordinary relief in paragraph 3 since the debtor is not the borrower under the relevant loan agreements.

Grant waiver of the 14-day waiting period under FRBP 4001(a)(3).

Appearances are required on 5/1/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Martha Leticia Salas

Pro Se

Movant(s):

HSBC BANK USA, NATIONAL

Represented By
Sean C Ferry

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

10:30 AM

2:18-11214 Tessa Hall Streeter

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Nissan-Infiniti, LT VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Tessa Hall Streeter

Represented By
Peter M Lively

Movant(s):

NISSAN-INFINITI LT.

Represented By
Michael D Vanlochem

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

10:30 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#4.00 Hearing re: Motion for relief from stay
(Raesi Group, Inc. VS Debtor)

Docket 17

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition and approve stipulation for stay relief between debtor and creditors attached to motion. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

10:30 AM

2:18-12709 Eric Hokyung Chang and Joanne Young Chang

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Eric Hokyung Chang

Represented By
Kelly K Chang

Joint Debtor(s):

Joanne Young Chang

Represented By
Kelly K Chang

Movant(s):

Toyota Motor Credit Corporation,

Represented By
Austin P Nagel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

10:30 AM

CONT... Eric Hokyung Chang and Joanne Young Chang

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

10:30 AM

2:18-12918 Herbert Lamar Bain

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Wells Fargo Bank, N.A. VS Debtor)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Appearances are required on 5/1/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Herbert Lamar Bain

Pro Se

Movant(s):

Wells Fargo Bank, N.A.

Represented By
Cassandra J Richey

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

10:30 AM

2:18-12995 Paola Yanina Velasquez

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(First City Credit Union VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Paola Yanina Velasquez

Represented By
Allan S Williams

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(1333 Curson, LLC VS Debtor)

Docket 28

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny requests for extraordinary relief in paragraphs 6, 9, 10 and 11 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Movant(s):

1333 Curson, LLC

Represented By
Sam Chandra

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

10:30 AM

CONT... Yehuda Kelman

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

1:30 PM

2:17-24330 Jung Ja Kim

Chapter 7

Adv#: 2:18-01053 Avery v. Kim

#9.00 Status conference re: Complaint against debtor for denial of discharge

Docket 1

***** VACATED *** REASON: Cont'd from 5/1/18 to 8/7/18 at 1:30 p.m. per
stip & order entered on 4/23/18- st**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 8/7/18 at 1:30 p.m. No appearances are required on 5/1/18.

Party Information

Debtor(s):

Jung Ja Kim

Represented By
Donald E Iwuchuku

Defendant(s):

Jung Ja Kim

Pro Se

Plaintiff(s):

Wesley H, Avery

Represented By
Carmela Pagay

Trustee(s):

Wesley H Avery (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

1:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

Adv#: 2:16-01037 Avery v. Gonzalez

#9.10 Status conference re: Discovery

Docket 1

Tentative Ruling:

No tentative ruling as of 4/30/18. Appearances are required on 5/1/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Arturo Gonzalez

Represented By
Anerio V Altman

Defendant(s):

Arturo Gonzalez

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
Brett B Curlee

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee

Wesley H Avery (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:00 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#10.00 Cont'd hearing re: Motion of plaintiff/creditor James Lee Clark for an order compelling discovery and sanctions against defendant/debtor Rita Ellison-Farris fr. 1/16/18, 1/30/18

Docket 351

***** VACATED *** REASON: Cont'd from 5/1/18 to 8/8/18 at 2:00 p.m. per order entered on 4/24/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/30/18. Off calendar. Continued by prior order to 8/8/18 at 2:00 p.m. No appearances are required on 5/1/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

Updated tentative ruling as of 1/12/18. Plaintiff moves to compel discovery to defendant with respect to: (1) his request for admissions, (2) his interrogatories and (3) his requests for production of documents. As to the request for admissions, the motion is unnecessary because if the requests for admissions are properly served, the requested matters for admission are deemed admitted if not timely denied. As to the interrogatories, the motion should be denied because the interrogatories are invalid because plaintiff did not sign them. On the copy of the interrogatories attached to the motion, there is no signature of plaintiff on his interrogatories as required by Federal Rule of Bankruptcy Procedure 9011(a). Plaintiff will need to sign them before he can move to compel defendant to respond to them. As to the request for production of documents, the motion does not comply with Local Bankruptcy Rule 9026-1(c) because plaintiff has not submitted a discovery dispute stipulation to be completed by both parties as to their positions on the discovery dispute. Plaintiff appears to have met the requirement of a meet and confer request to defendant's counsel, to which there was apparently no response, but plaintiff still needs to submit the joint discovery dispute stipulation required by Local Bankruptcy Rule 7026-1(c). The court wants the parties to conduct a meet and confer meeting regarding the interrogatories

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:00 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

and the request for production of documents once plaintiff signs the interrogatories. Appearances are required on 1/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:00 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#11.00 Cont'd status conference re: Complaint: 1) objecting to discharge
2) breach of contract 3) breach of implied covenant of good faith
and fair dealing 4) conversion 5) negligence 6) breach of fiduciary duty
7) constructive fraud 8) fraudulent concealment 9) wrongful foreclosure
10) interference with prospective economic advantage
fr. 5/30/17, 8/1/17, 9/5/17, 1/30/18

Docket 1

***** VACATED *** REASON: Cont'd from 5/1/18 to 8/8/18 at 2:00 p.m. per
order entered on 4/24/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/30/18. Off calendar. Continued by prior order to 8/8/18 at 2:00 p.m. No appearances are required on 5/1/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

No tentative ruling as of 9/1/17. Appearances are required on 9/5/17.

No tentative ruling as of 7/31/17. Appearances are required on 8/1/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 5/26/17. No tentative ruling on the merits. Appearances are required on 5/30/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 2/27/17. No tentative ruling on the merits. Appearances are required on 2/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/13/17. No tentative ruling on the merits. Appearances are required on 2/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:00 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Prior tentative ruling as of 12/5/16. No tentative ruling on the merits.
Appearances are required on 12/6/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits.
Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits.
Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/18/16. No tentative ruling on the merits.
Appearances are required on 4/19/16, but counsel may appear by telephone.

Party Information

Attorney(s):

Deborah Bronner

Represented By
Deborah R Bronner

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

Mediator(s):

David A. Gill

Pro Se

Plaintiff(s):

James Lee Clark

Represented By
Justin D Graham

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:00 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

Sam S Leslie (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:00 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:14-01088 Clark v. Farris-Ellison

#12.00 Cont'd status conference re: Creditor, James Lee Clark's complaint to determine nondischargeability of debtors/defendant's debt [Pursuant to 11 U.S.C. §523(a)(2); 11 U.S.C. §523(a)(6)] fr. 8/1/17, 9/5/17, 1/30/18

Docket 1

***** VACATED *** REASON: Cont'd from 5/1/18 to 8/8/18 at 2:00 p.m. per order entered on 4/24/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/30/18. Off calendar. Continued by prior order to 8/8/18 at 2:00 p.m. No appearances are required on 5/1/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

No tentative ruling as of 9/1/17. Appearances are required on 9/5/17.

No tentative ruling as of 7/31/17. Appearances are required on 8/1/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 5/26/17. No tentative ruling on the merits. Appearances are required on 5/30/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 2/27/17. No tentative ruling on the merits. Appearances are required on 2/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/13/17. No tentative ruling on the merits. Appearances are required on 2/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/16. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:00 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Appearances are required on 12/6/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits.
Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits.
Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/18/16. No tentative ruling on the merits.
Appearances are required on 4/19/16, but counsel may appear by telephone.

No updated tentative ruling as of 2/22/16. Appearances are required on 2/23/16.

No updated tentative ruling as of 8/24/15. Appearances are required on 8/25/15.

No tentative ruling as of 4/27/15. Appearances are required on 4/28/15.

Updated tentative ruling as of 3/9/15. No tentative ruling on the merits.
Appearances are required on 3/10/15. Defendant to address why there is no proof of service of answer filed on 2/10/15.

Prior tentative ruling as of 11/17/14. No tentative ruling on the merits.
Appearances are required on 11/18/14.

Updated tentative ruling as of 9/29/14. The status conference will be conducted on the 3:00 p.m. calendar with the hearing on the motion for summary judgment. No tentative ruling on the merits. Appearances are required on 9/30/14 at 3:00 p.m., not 1:30 p.m.

Prior tentative ruling as of 6/23/14. No tentative ruling on the merits.
Appearances are required on 6/24/14.

Updated tentative ruling as of 5/12/14. No tentative ruling on the merits.
Appearances are required on 5/13/14 to discuss status of state court proceedings, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:00 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Prior tentative ruling. No tentative ruling on the merits. The court notes procedural problems with the adversary proceeding: (1) first, plaintiff has not served counsel for debtors as required by Rule 7004(g) of the Federal Rules of Bankruptcy Procedure; (2) plaintiff is seeking the same relief as in the prior adversary proceeding, which was dismissed, and there may be a bar against such relitigation by claim or issue preclusion. Appearances are required on 4/15/14.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

Sam S Leslie (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:30 PM

2:11-40813 Cinevision International, Inc.

Chapter 7

#13.00 Hearing re: Motion to withdraw as debtor Cinevision International Inc.'s attorney and as attorney for Frank Mayor and Cindy Gunadi

Docket 257

Tentative Ruling:

No tentative ruling as of 4/30/18. Appearances are required on 5/1/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Cinevision International, Inc.

Represented By
Alan W Forsley
Andrew Edward Smyth

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Bradley J Yourist

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:30 PM

2:11-40813 Cinevision International, Inc.

Chapter 7

#13.10 Cont'd status conference re: Remand
fr. 4/24/18

Docket 253

Tentative Ruling:

Updated tentative ruling as of 4/30/18. No tentative ruling on the merits.
Appearances are required on 5/1/18, but counsel may appear by telephone.

No tentative ruling as of 4/23/18. Appearances are required on 4/24/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Cinevision International, Inc.

Represented By
Alan W Forsley
Andrew Edward Smyth

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Bradley J Yourist

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#14.00 Hearing re: Motion to be relieved as attorney of record

Docket 67

Tentative Ruling:

Grant motion of counsel for debtor to withdraw for the reasons stated in the moving papers. The court will overrule plaintiff's objections because counsel did make an appearance for defendant in this matter and is considered by the court to have been defendant's attorney. The court will not grant plaintiff's request for sanctions because he needs to bring a separate motion for such relief, but having said that, the court does not see anything in his request that would warrant sanctions as requested should he bring such a motion. Appearances are required on 5/1/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Gary Moll

Represented By
Ilyse Klavir
Gary E Moll - INACTIVE -

Defendant(s):

Gary E Moll

Represented By
Ilyse Klavir
Gary E Moll - INACTIVE -

Gary E Moll and Associates

Represented By
Ilyse Klavir
Gary E Moll - INACTIVE -

Plaintiff(s):

Gary Salzman

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:30 PM

CONT... Gary Moll

Chapter 7

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:30 PM

2:17-21264 Stephen W Chiu

Chapter 7

#15.00 Hearing re: Chapter 7 trustee's motion for order: (1) Authorizing Sale of 13127 Union Avenue, No. 105, Hawthorne, California 90250, Free and Clear of Liens, Claims, and Interests; (2) Approving Proposed Overbid Procedures; (3) Determining that Buyers are Good Faith Purchasers; (4) Authorizing Payment of Costs of Sale from Escrow; and (5) Authorizing payment of the debtor's homestead exemption from the sale proceeds; and (6) Waiving the fourteen (14) day stay prescribed by rule 6004(h) of the Federal Rules of Bankruptcy Procedure

Docket 34

Tentative Ruling:

Grant trustee's motion for order authorizing sale of real property, free and clear of liens, claims and interests, approving proposed overbid procedures, authorizing payment of costs of sale from escrow and waiving 14-day stay under FRBP 6004(h).

A prospective overbidder contacted the court last week about her interest in participating in the overbidding process, but due to hearing impairment, has requested that the court provide a sign language interpreter to assist her at the hearing pursuant to the Americans with Disabilities Act (ADA). While the ADA does not apply to the federal courts, 42 U.S.C. 12131 et seq., it is the policy of the federal courts to provide reasonable accommodations to a hearing impaired litigant as indicated as the court's website under accommodations. Normally, a request for a sign language interpreter as stated on the court's website requires at least three weeks advance notice. The court will inquire with the trustee and the prospective overbidder as well as interested parties about reasonable accommodations in this situation. The court is looking into the possibility of retaining a sign language interpreter on less than three weeks notice in this situation.

No tentative ruling on determining buyers are good faith purchasers since there may be overbidding. Appearances are required on 5/1/18.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

2:30 PM

CONT... Stephen W Chiu

Chapter 7

Debtor(s):

Stephen W Chiu

Represented By
Christie Cronenweth

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#16.00 Cont'd hearing re: Motion of defendant Ji Kun Lim's to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 3/20/18

Docket 13

***** VACATED *** REASON: Cont'd from 5/1/18 to 6/19/18 at 3:00 p.m.
by stip & order entered on 4/5/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/30/18. Off calendar. Continued by stipulation and order to 6/19/18 at 3:00 p.m. No appearances are required on 5/1/18.

Prior tentative ruling. See tentative ruling for matter number 39.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

CONT... Plain Leasing, Inc.

Chapter 11

Joon Rhee

Gregory S Kim

Represented By
Gregory S Kim

Movant(s):

Ji Kun Lim

Represented By
Mette H Kurth

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

- #17.00** Cont'd hearing re: Motion of defendant B & O Logistics to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 3/20/18

Docket 8

***** VACATED *** REASON: Cont'd from 5/1/18 to 6/19/18 at 3:00 p.m.
by stip & order entered on 4/5/18-mb**

Tentative Ruling:

Updated tentative ruling as of 4/30/18. Off calendar. Continued by stipulation and order to 6/19/18 at 3:00 p.m. No appearances are required on 5/1/18.

Prior tentative ruling. The court agrees with defendants that actions to set aside fraudulent transfers of assets of a bankruptcy debtor belongs to the bankruptcy estate and may be the basis for a motion to dismiss because actions to collect upon assets of the estate are subject to the automatic stay and relief from stay has not been obtained by the plaintiffs. In re MortgageAmerica Corp., 714 F.2d 1266, 1275 (5th Cir. 1983); In re Curry & Sorenson, Inc., 57 B.R. 824, 827-828 (9th Cir. BAP 1986); but see, In re Colonial Realty Co., 980 F.2d 125, 130-132 (2nd Cir. 1992). As noted by plaintiffs, there is a division in circuit authority as to whether property of the bankruptcy estate includes property subject to a fraudulent transfer avoidance action is part of the bankruptcy estate before the avoidance action. See Peter Spero, Fraudulent Transfers, Prebankruptcy Planning and Exemptions, Section 3.3 (Westlaw online Sept. 2017 update), citing, In re MortgageAmerica Corp., supra; In re Colonial Realty Co., supra; Rajala v. Garner, 709 F.3d 1031 (10th Cir. 2013); In re Allen, 768 F.3d 274 (3rd Cir. 2014). There is no definitive case authority in the Ninth Circuit, though the Bankruptcy Appellate Panel of the Ninth Circuit has stated that a fraudulent transfer avoidance action to recover property fraudulently transferred by a

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

CONT... Plain Leasing, Inc.

Chapter 11

bankruptcy debtor is an asset of the debtor's bankruptcy estate. In re Curry & Sorenson, Inc., supra. The court will follow the BAP rule in Curry & Sorenson, Inc., as the current law of the Ninth Circuit.

Having said this, however, before the court rules on defendants' motions to dismiss, the court notes that plaintiffs could obtain authority of this court to allow them as parties other than the trustee or debtor-in-possession to pursue litigation on behalf of the estate (as opposed for themselves only). In re Curry & Sorenson, Inc., supra; In re Spauding Composites Co., 207 B.R. 899, 903 (9th Cir. BAP 1997). If plaintiffs are seeking to enforce their own interests as creditors, the court would thus grant the motions to dismiss, but if plaintiffs are seeking authorization from the court to pursue the litigation on behalf of the estate and its creditors, they should file and serve an appropriate motion, and the court would consider it subject to hearing from other interested parties.

Deny request for an order to show cause and/or sanctions for violation of stay since the stay is not intended to protect non debtor parties. 11 U.S.C. 362(a); see also, Ingersoll-Rand Financial Corp. v. Miller Mining Co., 817 F.2d 1424, 1427 (9th Cir. 1987). Moreover, it would be difficult to show civil contempt here that plaintiffs willfully violated a specific and definite order of the court by clear and convincing evidence, see, e.g., In re Dyer, 322 F.3d 1178, 1190-1191 (9th Cir. 2003), in bringing the fraudulent transfer action against defendants, given the uncertainty of the law as indicated by the lack of definitive case authority in the Ninth Circuit and otherwise divided circuit authority on the question of whether a fraudulently transferred property before avoidance is property of a debtor's bankruptcy estate circuit.

Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

CONT... Plain Leasing, Inc.

Chapter 11

Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#18.00 Cont'd status conference re: Removal of state court action to the United States Bankruptcy Court, Central District, Los Angeles Division
fr. 4/3/18

Docket 1

***** VACATED *** REASON: Cont'd from 5/1/18 to 6/19/18 at 3:00 p.m.
by stip & order entered on 4/5/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 4/30/18. Off calendar. Continued by stipulation and order to 6/19/18 at 3:00 p.m. No appearances are required on 5/1/18.

Prior tentative ruling. The court continues the status conference on its own motion to 5/1/18 at 3:00 p.m. to be conducted with the further hearings on defendants' motion to dismiss and in light of plaintiffs' consideration of filing a motion for authorization to prosecute the fraudulent transfer claims on behalf of the estate. No appearances are required on 4/3/18.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Pro Se

Michael Beom Lee

Pro Se

Sam Kim

Pro Se

Yoon Lee

Pro Se

Chang Won Choi

Pro Se

Joon Rhee

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

CONT... Plain Leasing, Inc.

Chapter 11

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#19.00 Cont'd hearing re: Motion of defendant JPMorgan Chase Bank, N.A. to dismiss first amended complaint fr. 2/27/18, 3/20/18

Docket 13

Tentative Ruling:

Updated and revised tentative ruling as of 5/1/18.

Grant motion to dismiss 6th claim for relief for disallowance of claims because the claim is premature since the bank has not filed any proof of claim and dismiss without prejudice.

Grant motion to dismiss 1st and 2nd causes of action for failure to state a claim upon which relief can be granted because the claims do not allege sufficient facts to allege plausible claims. Like in *In re Mullin*, 2014 WL 5840364 (9th Cir. BAP 2014), plaintiff seeks declaratory relief that property was wrongfully foreclosed upon without sufficiently alleging claims of wrongful foreclosure which are state law claims. The first amended complaint alleges three theories of wrongful foreclosure: (1) mortgage insurance has paid off the underlying loan; (2) the foreclosure was not authorized by the securitization trust holding the beneficial interest in the note; (3) the assignment of the deed of trust to defendants was not signed by the original lender. There are no specific facts alleged to support any of these theories, only speculation on behalf of plaintiff under the guise of information and belief. However, the court will grant leave to amend within 30 days of entry of the order granting the motion to assert plausible wrongful foreclosure claims.

As to defendants' argument that the court lacks subject matter jurisdiction over these noncore state law claims, the court has "related to" jurisdiction over these claims which if the state law wrongful foreclosure claims are successful would result in recovery of estate property. However, the court as a non-Article III tribunal may not have constitutional authority to enter a final judgment on the noncore state law claims against defendants under *Stern v.*

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

CONT... Grand View Financial LLC

Chapter 11

Marshall, 564 U.S. 462 (2011). Absent consent to bankruptcy court jurisdiction, this court may try the case and issue proposed findings of fact and conclusions of law on plaintiff's noncore claims to be reviewed de novo by the district court with Article III authority, except if any of the claims are to be tried before a jury, the claims would have to be tried in the district court. See Executive Benefits Insurance Agency v. Arkison, 134 S.Ct. 2165 (2014); Wellness International Network, Ltd. v. Sharif, 135 S.Ct. 1932 (2015).

As to defendants' request for mandatory or permissive abstention, the court cannot abstain from hearing the claims here without a parallel state court proceeding, either under mandatory or permissive abstention. Security Farms v. International Brotherhood of Teamsters, 124 F.3d 999, 1009-1010 (9th Cir. 1997). There are no parallel proceedings in state court at this time.

Grant motion to dismiss 5th and 7th causes of action for failure to state a claim upon which relief can be granted because the claims do not allege sufficient facts to allege plausible claims. Even though these claims are federal claims for turnover under the Bankruptcy Code and for damages under the Fair Debt Collection Practices Act (FDCPA), the theory for recovery is based on plaintiff's state law claims for wrongful foreclosure, and unless plaintiff recovers on a wrongful foreclosure theory, there is no recovery under these claims. However, the court will grant leave to amend within 30 days of entry of the order granting the motion to assert plausible wrongful foreclosure claims upon which to base these claims.

Grant motion to dismiss 3rd and 4th causes of action for failure to state a claim upon which relief can be granted because the claims do not allege sufficient facts to allege plausible claims based on theory that the foreclosure of the senior lien by defendants violated the automatic stay from bankruptcy cases of other debtors. Debtor in this bankruptcy lacks standing to assert the effect of the automatic stay from bankruptcy cases of other debtors to assert that the foreclosure of defendants' lien violated the automatic stay in those other cases. In re Cogar, 210 B.R. 803, 808 n. 7 (9th Cir. BAP 1997). Leave to amend will not be granted because amendment would be futile.

Appearances are required on 5/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. Grant defendants' motions to dismiss as

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

CONT... Grand View Financial LLC

Chapter 11

follows: (1) first, second, third and fourth claims for relief based on permissive abstention because these claims are based on plaintiff's state law claims for wrongful foreclosure and the court should abstain because state law issues predominate over bankruptcy issues, there is no jurisdictional basis over the claims other than related to jurisdiction under 28 U.S.C. 1334, the degree of relatedness or remoteness of the claims to the main bankruptcy case is tenuous because these claims are all based on the state law unlawful foreclosure claims, plaintiff's claims are noncore proceedings because plaintiff must establish its underlying state law noncore wrongful foreclosure claims before obtaining relief on these claims, the litigation of state law claims would be burdensome on this court's docket, it is likely that the commencement of this adversary proceeding involves forum shopping because plaintiff could have filed these claims in the state court either before or after bankruptcy and nondebtor parties, defendants, are present, and the other factors are neutral, In re Tucson Estates, Inc., 912 F.2d 1162, 1166-1167 (9th Cir. 1990); (2) fifth claim for relief for disallowance of claims, dismissal without prejudice because the claim is premature since the bank has not filed any proof of claim; (3) sixth claim for relief based on Fair Debt Collection Practices Act - dismissal with prejudice pursuant to FRCP 12(b)(6) because plaintiff fails to state a claim that bank acted to collect any debt against plaintiff, bank is not a debt collector as creditor, mortgagor or mortgage servicing company and the claim is time-barred since brought more than one year after alleged violation pursuant to 15 U.S.C. 1692k(d). Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling. The court on its own motion continues the hearing on the motion to dismiss to 3/20/18 at 3:00 p.m. A separate order is being entered. No appearances are required on 2/27/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

CONT... Grand View Financial LLC

Chapter 11

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Represented By
Matthew S Henderson

QUALITY LOAN SERVICE

Represented By
Merdaud Jafarnia

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#20.00 Cont'd status conference re: Complaint for: (1) Declaratory Relief Regarding Alleged Standing Of Defendants Under Note And Deed Of Trust; (2) Declaratory Relief Regarding Purported Foreclosure Sale And Trustees Deed Upon Sale And Title To Real Property; (3) Declaratory Relief Regarding Unlawful Detainer Action; (4) Turnover Of Real Property; (5) Disallowance Of Any Claims Of JPMorgan Chase Bank, N.A.; (6) Violation Of Fair Debt Collection Practices Act
fr. 2/13/18, 2/27/18, 3/20/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/30/18. No tentative ruling on the merits. Appearances are required on 5/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. Off calendar. The court on its own motion continues the status conference to 3/20/18 at 3:00 p.m. A separate order is being entered. No appearances are required on 2/27/18.

Prior tentative ruling. The court has reviewed the joint status report and also notes on the case docket that there is a hearing on the motion of defendant JP Morgan Chase Bank, N.A. to dismiss plaintiff's amended complaint on 2/27/18 at 3:00 p.m., which may have an impact on scheduling in this adversary proceeding. Therefore, the court on its own motion continues the status conference to 2/27/18 at 3:00 p.m. to be conducted with the hearing on the motion to dismiss the amended complaint. No appearances are required on 2/13/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

CONT... Grand View Financial LLC

Chapter 11

Lindsey L Smith

Defendant(s):

JPMORGAN CHASE BANK, N.A. Pro Se

QUALITY LOAN SERVICE Pro Se

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01035 Grand View Financial, LLC v. Nations Direct Mortgage, LLC et al

#21.00 Hearing re: Pennymac Loan Services, LLC Pennymac Corp., and Mortgage Electronic Registration Systems, Inc. motion to dismiss plaintiff's complaint

Docket 6

***** VACATED *** REASON: Off calendar per order entered on 4/30/18-
mb.**

Tentative Ruling:

Off calendar. The court has dispensed with oral argument, vacated the hearing and ruled on the papers by written order. No appearances are required on 5/1/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Nations Direct Mortgage, LLC

Pro Se

Mortgage Electronic Registration

Represented By
Christopher O Rivas

Fidelity National Title aka Fidelity

Pro Se

PennyMac Loan Services, LLC

Represented By
Christopher O Rivas

PennyMac Corp.

Represented By
Christopher O Rivas

Massachusetts Mutual Life

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 1, 2018

Hearing Room 1675

3:00 PM

CONT... Grand View Financial LLC

Chapter 11

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century and 400 S. Chapter 11

#1.00 Hearing re: Motion of plan agent to disqualify Brown Rudnick, LLP as counsel to 400 S. La Brea, LLC

Docket 2320

***** VACATED *** REASON: Cont'd from 5/2/18 to 5/9/18 at 11:00 a.m.,
per stip & order entered on 4/16/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 5/9/18 at 11:00 a.m. No appearances are required on 5/2/18.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#2.00 Hearing re: Motion of plan agent to sanction 400 S. La Brea, LLC, for violations of Fed. R. Bankr. P. 9011

Docket 355

***** VACATED *** REASON: Cont'd from 5/2/18 to 5/9/18 at 11:00 a.m.
per stip & order entered on 4/23/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 5/9/18 at 11:00 a.m. No appearances are required on 5/2/18.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Jennifer Kellen

Represented By
J. Bennett Friedman

400 S La Brea, LLC a California

Represented By
Michael W Vivoli
Ashley M McDow
Michael T Delaney
Ronald Rus
Joel S. Miliband

ACE MUSEUM, a California

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Alan W Forsley

Douglas Christmas

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Plaintiff(s):

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

2:13-28484 Pasadena Adult Residential Care, Inc

Chapter 7

#3.00 Cont'd status conference re: New operator license
fr. 8/16/17, 10/25/17, 1/17/18

Docket 656

Tentative Ruling:

Updated tentative ruling as of 5/1/18. No tentative ruling on the merits.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. No tentative ruling on the merits.
Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits.
Appearances are required on 10/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits.
Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/17. No tentative ruling on the merits.
Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits.
Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed trustee's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Pasadena Adult Residential Care, Inc

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

CONT... Pasadena Adult Residential Care, Inc

Chapter 7

Hamid R Rafatjoo
Joyce H Vega

Trustee(s):

Peter J Mastan (TR)

Represented By
Dawn A Messick
Christopher Celentino
Ballard Spahr LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#4.00 Hearing re: Blakeley LLP's second interim application for compensation and reimbursement of expenses

Docket 196

Tentative Ruling:

The interim fee application is deficient because there is no separately filed declaration from the client on review of the application as required by LBR 2016-1(a)(1)(J). Appearances are required on 5/2/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#5.00 Hearing re: Application for payment of interim fees and/or expenses for Khang & Khang LLP, debtor's attorney (11 U.S.C. section 331)

Docket 200

Tentative Ruling:

The interim fee application is deficient because there is no separately filed declaration from the client on review of the application as required by LBR 2016-1(a)(1)(J). Appearances are required on 5/2/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 11

#6.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

No tentative ruling as of 5/1/18. Appearances are required on 5/2/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#6.10 Cont'd hearing re: Disclosure statement
fr. 3/28/18, 4/4/18, 4/18/18

Docket 94

Tentative Ruling:

Updated tentative ruling as of 5/1/18. The court has reviewed debtor's amended disclosure statement. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/18. Deny approval of disclosure statement. The amended disclosure statement is difficult to follow and confusing. The court thinks it can be boiled down to the following chart. Appearances are required on 4/18/18, but counsel may appear by telephone.

Goins feasibility analysis

Payments on Effective Date

Loan arrearages to Umbrella on 65 th Street:	\$136,107.20
	\$27,844.89

Priority claims

IRS	\$1,818.51
IRS	\$40,079.00
FTB	\$111.59
City of LA	\$361.09
Unsecured general claims (100% payment):	\$7,636.43

**United States Bankruptcy Court
 Central District of California
 Los Angeles
 Judge Robert Kwan, Presiding
 Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Professional fees		_____
United States Trustee fees		_____
Total		_____

Source of payments on effective date:

Family contribution:		\$150,000
Estate funds (including sale of Bronson property)		_____
Total		_____

Payment of Secured claims:

Bedford property		\$5,842.83
Property taxes		_____

Source of payments on Bedford

Estate income (including from
 Trust property management fees and
 65th Street rental income)

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

CONT...

Stassen Conrad Goins

Chapter 11

65th Street property \$3,600.00

Property taxes _____

Other expenses _____

Source of payments on 65th Street

Rental income on 65th Street \$8,300.00

Income and expense for plan:

Income

Trust management fee income \$5,000.00

Rental income from 65th Street \$8,300.00

\$13,300.00

Expenses

Rental property expenses from

65th Street \$4,300.00

Personal expenses, including

Bedford mortgage \$7,750.00

Total expenses \$12,050.00

Net income \$1,300.00

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Updated tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits. Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits. Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits. Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. The amended disclosure statement is deficient and needs to be revised. First and foremost, no plan was attached to the disclosure statement, including Exhibits A and B, as well as the recently approved stipulation and order between debtor and secured creditor Christiana Trust. If debtor meant to attach the Plan last filed on 9/1/16, it should be updated to be accompany the amended disclosure statement. The court agrees with the objections of creditor Umbrella Investment Group that the amended disclosure statement lacks adequate information, including basic information about payment of general unsecured claims, how, what amounts and when. The last filed plan on 9/1/16 stated that general unsecured claims will be paid 100% and that debtor has rental income of \$8,300, but no information is provided as to how, when and what means to implement the plan, so creditors can evaluate feasibility. Financial projections of income and expense for the duration of the plan term are missing and should have been provided. Perhaps debtor's use of the form disclosure statement should be jettisoned, and debtor should use a narrative disclosure statement in plain English to describe what he proposes to the creditors in his plan. Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. Pending before the court is debtor's amendment to disclosure statement filed on 9/1/16, which has been noticed for hearing on 12/5/17. This amendment amends the original disclosure statement filed on 11/17/15. The original disclosure statement of 11/17/15

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

CONT...

Stassen Conrad Goins

Chapter 11

looks like a disclosure statement whereas the amendment filed on 9/1/16 does not. The amendment looks like an add-on amendment and does not contain sufficient information to constitute a disclosure statement that the court could approve and allow to be sent out to creditors. Debtor will have to draft an updated disclosure statement that is self-contained in order for the plan to be considered by the court and creditors, and thus, the court will deny approval of the 9/1/16 amendment as debtor's disclosure statement. Appearances are required on 12/5/17 to discuss how long it will take debtor to revise his disclosure statement, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. The court has reviewed debtor's notice that tax returns have been prepared and filed, and the court expects to discuss debtor's plans for filing an amended disclosure statement. Appearances are required on 11/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits. Debtor was to address accountant's opinion regarding tax consequences of proposed property sales. Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. Debtor will need to address United States Trustee's objection regarding the estimates of income taxes needed to cover capital gains liability, but it appears that the amended disclosure statement is otherwise approvable, despite the United States Trustee's style suggestion, which the court does not agree with. Appearances are required on 9/21/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits. Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits. Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits. Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits. Appearances are required on 5/18/16 to address the objections of the United States Trustee and objecting creditors, but counsel (other than debtor's counsel) may appear by telephone. Debtor should be prepared to discuss the treatment of each class of creditors since the proposed plan does not make it clear (e.g., 10 monthly payments for a number of classes, but no balloon payment stated). Perhaps debtor would have an easier time in not using the optional Chapter 11 form plan and disclosure statement and prepare a manually generated plan and disclosure statement and stating the proposed terms of the plan in a narrative.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits. Appearances are required on 3/16/16, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. Debtor to address objections of United States Trustee and creditors to draft disclosure statement regarding adequacy of information. The source of funding of plan is unclear. No historical financial data or projections are provided, which should be provided for each property as well as the debtor's business and living expenses. Since it appears that this is probably a cramdown plan situation due to the dispute over appropriate interest rates on secured claims, Debtor should be prepared to discuss how he will prove the appropriate cramdown rates of interest (i.e., is debtor submitting expert witness opinion testimony on interest rates?). Appearances are required on 1/13/16, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#6.20 Cont'd status conference re: Management of chapter 11 case
fr. 3/28/18, 4/4/18, 4/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/18. No tentative ruling on the merits.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/18. No tentative ruling on the merits.
Appearances are required on 4/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits.
Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits.
Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. No tentative ruling on the merits.
Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits.
Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits.
Appearances are required on 11/15/17, but counsel may appear by
telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits.
Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins Chapter 11

Appearances are required on 4/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits.
Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits.
Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits.
Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits.
Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits.
Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits.
Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits.
Appearances are required on 5/18/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits.
Appearances are required on 3/16/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/12/16. Appearances are required on 1/13/16, but counsel may appear by telephone.

No updated tentative ruling as of 11/23/15. Appearances are required on 11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 10/19/15. Appearances are required on 10/21/15, but counsel may appear by telephone

No updated tentative ruling as of 9/15/15. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

11:00 AM

CONT... Stassen Conrad Goins

Chapter 11

9/16/15, but counsel may appear by telephone.

No updated tentative ruling as of 9/8/15. Appearances are required on 9/9/15, but counsel may appear by telephone.

Prior tentative ruling as of 8/3/15. No tentative ruling on the merits. Appearances are required on 8/5/15, but counsel may appear by telephone.

No updated tentative ruling as of 7/20/15. Appearances are required on 7/22/15, but counsel may appear by telephone.

No tentative ruling as of 7/6/15. Appearances are required on 7/8/15, but counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

Movant(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#7.00 Cont'd pretrial conference re: Motion by creditor Cindy Magleby for entry of order dismissing debtor's chapter 11 case
fr. 2/7/18, 3/7/18, 3/21/18

Docket 115

Tentative Ruling:

Updated tentative ruling as of 5/1/18. No tentative ruling on the merits.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on
11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on
9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on
7/26/17, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because
there are disputed factual issues that requires an evidentiary hearing. Parties
should be prepared to discuss their discovery needs and scheduling of
pretrial and trial proceedings. Appearances are required on 11/16/16, but
counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#8.00 Cont'd hearing re: Creditor Cindy Magleby's motion for discretionary abstention re debtor's motion to disallow claims of Cindy S. Magleby (claim numbers 13, 7, and 12) fr. 3/21/18

Docket 423

Tentative Ruling:

Updated tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling. Deny creditor Cindy Magleby's motion for discretionary abstention because the matter of claim objections is a core matter, the court has jurisdiction over the claim objection dispute as a core bankruptcy matter, abstention would adversely impact the efficient administration of the estate since there is no certainty that the claims determination issues will be resolved expeditiously in state court, there is not much difference in litigating claims estimation only for plan confirmation purposes as opposed to determining the claims on the merits, litigation of the claim objections in this court will provide certainty for plan confirmation, despite the litigation of the claim objections will be burdensome on the court's docket and arguably the filing of the bankruptcy case involved forum shopping. In re Tucson Estates, 912 F.2d 1162 (9th Cir. 1990); In re Conejo Enterprises, Inc., 96 F.3d 346 (9th Cir. 1996). Appearances are required on 3/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#9.00 Cont'd hearing re: Debtor's motion to disallow claims of Cindy S. Magleby
(claim numbers 13, 7, and 12)
fr. 2/7/18, 3/7/18, 3/21/18

Docket 390

Tentative Ruling:

Updated tentative ruling as of 5/1/18. The court has reviewed the unilateral pretrial statements of the parties, which are incomplete and inadequate and will not be approved. The "statements" should be a joint pretrial stipulation, and they lack the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court notes that claimant has a pending motion for abstention on her claims set for hearing on 3/21/18. If the court abstains, this itself will not postpone plan confirmation proceedings because the parties may request the court to estimate the claims for voting on plan confirmation. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

CONT...

Curtis C. Magleby

Chapter 11

matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. If claimant believes that the court should permissively abstain from hearing this contested matter, then she should bring a proper motion for abstention rather than raising the request in her opposition to the objection. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). However, it seems to the court that it could properly hear the objection to claim as a core proceeding under 28 U.S.C. 157(b)(2)(B) and not abstain under *In re Conejo Enterprises, Inc.*, 96 F.3d 346 (9th Cir. 1996). Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#10.00 Cont'd hearing re: Renewed motion for order disallowing claims of Fried & Goldsman, APLC (claim no. 15) and Taylor and Liberman (claim no. 16) fr. 2/7/18, 3/7/18, 3/21/18

Docket 394

Tentative Ruling:

Updated tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#11.00 Cont'd hearing re: Motion to disallow claims of Banc of California, N.A.
fr. 2/7/18, 3/7/18, 3/21/18

Docket 372

Tentative Ruling:

Updated tentative ruling as of 5/1/18. No tentative ruling on the merits.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

CONT...

Curtis C. Magleby

Illyssa I Fogel

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#12.00 Cont'd hearing re: Disclosure statement
fr. 2/7/18, 3/7/18, 3/21/18

Docket 174

Tentative Ruling:

Updated tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court has reviewed debtor's status update and request to continue the status conference. No tentative ruling on the merits. Appearances are required on 3/7/18 to discuss scheduling and the the impact of treatment on creditor Cindy Magleby's claims for plan voting and abstention among other things, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. The court notes that debtor filed a second amended disclosure statement on 1/30/18, 8 days before the further hearing on 2/7/18. Creditor Banc of California filed a response on 1/31/18 objecting to debtor's noticing approval of the amended disclosure statement for the hearing on 2/7/18, citing the court's oral ruling that creditors should be given 3 weeks notice of hearing on an amended disclosure statement. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, including adequate time for creditors to respond to debtor's second amended disclosure statement and a scheduling of a further hearing on debtor's second amended disclosure statement to allow for review and comment by creditors and interested parties, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. The court has reviewed debtor's status report. Appearances are required on 11/29/17 to discuss scheduling of further proceedings, including filing date for debtor's second amended disclosure statement, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. Debtor in his status report filed on 2/22/17 indicated that he and his counsel are working on revising and amending the original disclosure statement to include a revised and updated liquidation analysis and taking into account resolutions of claims of creditors, including First Republic Bank (however, the court notes that it disapproved without prejudice the stipulation resolving claim of First Republic Bank in light of objection of creditor Cindy Magelby since it appears that debtor will need to bring a FRBP 9019 motion). Appearances are required on 3/1/17 regarding scheduling of further proceedings for an amended and revised disclosure statement, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

#13.00 Cont'd status conference re: Complaint to recover property of the estate and for turnover of property of the estate pursuant to section 542(a) of the United States Bankruptcy Code, 11 U.S.C. §542(a)
fr. 2/7/18, 3/7/18, 3/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/18. The court has reviewed defendant's unilateral pretrial statement, which is incomplete and inadequate and will not be approved. The "statement" should be a joint pretrial stipulation, and it lacks the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Cindy Magleby

Pro Se

Plaintiff(s):

Curtis C. Magleby

Represented By
Alan F Broidy

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01331 Magleby v. Magleby

#14.00 Cont'd status conference re: Complaint objecting to discharge of debtor pursuant to 11 U.S.C. §§523(a)(5), (a)(15) and §727 fr. 2/7/18, 3/7/18, 3/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 2, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits.
Appearances are required on 1/25/17, but counsel may appear by telephone.

No tentative ruling as of 11/14/16. Appearances are required on 11/16/16,
but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Curtis C. Magleby

Pro Se

Plaintiff(s):

Cindy Magleby

Represented By
Michael J Conway

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, May 4, 2018

Hearing Room 1675

10:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#1.00 Hearing re: Discovery telephonic status conference on confirmation of plan
fr. 3/21/18, 4/2/18, 4/25/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 4/30/18. Appearances are required on 5/4/18, but counsel may and should appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, May 4, 2018

Hearing Room 1675

10:00 AM

CONT... Swing House Rehearsal and Recording, Inc.

Chapter 11

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

10:30 AM

2:93-43127 Andrew Staffer

Chapter 7

Adv#: 2:03-01042 Predovich v. Staffer

#1.00 Hearing re: Appearance and examination of Sandra Staffer, third party

Docket 240

Tentative Ruling:

No tentative ruling as of 5/7/18. Appearances are required on 5/8/18.

Party Information

Debtor(s):

Andrew Staffer

Represented By
Ronald A Flate
Raymond H. Aver
Stephen L Burton

Defendant(s):

Andrew Staffer

Represented By
Charles Shamash
Joseph Caceres
John W Mills III
Raymond H. Aver
Stuart A Katz

Movant(s):

Robert Predovich

Represented By
Stuart A Katz

Plaintiff(s):

Robert Predovich

Represented By
Stuart A Katz

Trustee(s):

Ronald L Durkin (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

10:30 AM

2:15-22681 Melissa Sue Anderson

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Carisbrook Asset Holding Trust VS Debtor)

Docket 174

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny the request for extraordinary relief in paragraph 3 since the debtor is not the borrower under the relevant loan agreements. Deny requests for extraordinary relief in paragraph 10 and 14 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Melissa Sue Anderson

Represented By
Renee E Sanders

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

10:30 AM

2:18-11091 Kimberly Marie Griscavage

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(State Farm Mutual Automobile Insurance Company VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Kimberly Marie Griscavage

Represented By
John D Sarai

Movant(s):

State Farm Mutual Automobile

Represented By
Richard L Mahfouz

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

10:30 AM

2:18-11306 Salvador Alejandre

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Kinecta Federal Credit Union VS Debtor)

Docket 10

Tentative Ruling:

Service of the motion is deficient since there was no service on debtor required under LBR 4001-1(c)(1)(C)(i) which requires service not just on debtor's attorney, but debtor himself. Appearances are required on 5/8/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Salvador Alejandre

Represented By
Carlos A Delgado Ibarcena

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Equity Residential Management, LLC VS Debtor)

Re: 1710 North Fuller Avenue #512, Los Angeles, CA 90046

Docket 34

Tentative Ruling:

Service of the motion is deficient because movant did not provide a judge's copy of separately tabbed exhibits as required by LBR 5005-2(d). Movant will be required to provide a judge's copy with separately tabbed exhibits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Movant(s):

EQUITY RESIDENTIAL

Represented By
Linda T Hollenbeck

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Equity Residential Management, LLC VS Debtor)

Re: 6040 Center Drive #503, Los Angeles, CA 90045

Docket 33

Tentative Ruling:

Service of the motion is deficient because movant did not provide a judge's copy of separately tabbed exhibits as required by LBR 5005-2(d). Movant will be required to provide a judge's copy with separately tabbed exhibits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Movant(s):

EQUITY RESIDENTIAL

Represented By
Linda T Hollenbeck

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(Equity Residential Management, LLC VS Debtor)

Re: 1050 Wilshire Blvd., #523, Los Angeles, CA 90017

Docket 32

***** VACATED *** REASON: Voluntary dismissal of motion filed on
4/18/18-mb.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Movant(s):

EQUITY RESIDENTIAL

Represented By
Linda T Hollenbeck

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(Mayer Beverly Park Limited Partnership VS Debtor)

Docket 31

Tentative Ruling:

Service of the motion is deficient because movant did not provide a judge's copy of separately tabbed exhibits as required by LBR 5005-2(d). Movant will be required to provide a judge's copy with separately tabbed exhibits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Movant(s):

Mayer Beverly Park Limited

Represented By
Linda T Hollenbeck

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

10:30 AM

2:18-13416 Ovsep Lusinyan,DDS Inc

Chapter 7

#9.00 Hearing re: Motion for relief from stay
(Pacific Glenoaks Investment LLC.VS Debtor)

Docket 8

Tentative Ruling:

Deny motion as moot since the case was dsimished on 4/16/18 for failure to file schedules. Appearances are optional on 5/8/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Ovsep Lusinyan,DDS Inc Pro Se

Movant(s):

Pacific Glenoaks Investment LLC. Represented By
Paul E Gold

Trustee(s):

Jason M Rund (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

11:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#9.10 Cont'd hearing re: Discovery telephonic status conference on confirmation of plan
fr. 4/2/18, 4/25/18, 5/4/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 4/30/18. Appearances are required on 5/4/18, but counsel may and should appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

11:00 AM

CONT... Swing House Rehearsal and Recording, Inc.

Chapter 11

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

1:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#0.00 Hearing re: Motion by the chapter 7 trustee to quash subpoena seeking financial information

Docket 295

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Marc Weitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

1:30 PM

2:16-10961 Michael Bensimon Mizrachi

Chapter 7

Adv#: 2:16-01215 ST-CARE GROUP, LLC v. Mizrachi

#10.00 Cont'd status conference re: Complaint to determine dischargeability of a debt fr. 4/25/17, 6/27/17, 9/12/17

Docket 1

***** VACATED *** REASON: Judgment entered on 4/10/18 & ntc of dismissal to 11 USC §523(a)(4) filed on 4/11/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/7/18. Off calendar. Judgment on claims under 11 U.S.C. 523(a)(2)(A) and (6) now final after plaintiff voluntarily dismissed claim under 11 U.S.C. 523(a)(4), and adversary proceeding is now closed. No appearances are required on 5/8/18.

Prior tentative ruling as of 9/11/17. No tentative ruling on the merits. Appearances are required on 9/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/27/17. No tentative ruling on the merits. Appearances are required on 2/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/29/16. No tentative ruling on the merits. Appearances are required on 1/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/16. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 11/29/16, but counsel may appear by telephone.

No tentative ruling as of 8/1/16. Appearances are required on 8/2/16, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

1:30 PM

CONT... Michael Bensimon Mizrachi

Chapter 7

Debtor(s):

Michael Bensimon Mizrachi

Represented By
Michael Jay Berger

Defendant(s):

Michael Bensimon Mizrachi

Pro Se

Plaintiff(s):

ST-CARE GROUP, LLC

Represented By
David Brian Lally

Trustee(s):

David M Goodrich (TR)

Pro Se

David M Goodrich (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01217 Gonzalez v. Brown et al

#11.00 Cont'd status conference re: Complaint for: (1) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §544(b)(1), 548(a)(1)(A), and 550, and California Civil Code §3439.04(a)(1); (2) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(I), and 550, and California Civil Code §3439.05; (3) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(II) and 550, and California Civil Code §3439.04(a)(2)(A); (4) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(III), and 550, and California Civil Code §3439.04(a)(2)(A); (5) Preservation of avoided transfer pursuant to 11 U.S.C. §551; (6) Disallowance of claim pursuant to 11 U.S.C. §502(d); and (7) Disallowance of claim pursuant to 11 U.S.C. §502(b)
fr. 9/12/17, 2/27/18, 3/27/18

Docket 1

***** VACATED *** REASON: Cont'd from 5/8/18 to 7/10/18 at 1:30 p.m.
per stip & order entered on 4/10/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/7/18. Off calendar. Continued by stipulation and order to 7/10/18 at 1:30 p.m. No appearances are required on 5/8/18.

Prior tentative ruling as of 9/11/17. Appearances are required on 9/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status reports filed by the various parties. No tentative ruling on the merits. Appearances are required on 5/30/17.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
Stephen S Smyth
William J Smyth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

1:30 PM

CONT... Wladimir John Klimenko

Chapter 7

Defendant(s):

Robert Anthony Brown	Pro Se
Law Office of Robert Brown	Pro Se
Acquplied Assets, B.T.	Pro Se
Wladimir John Klimenko	Pro Se
Wladimir J. Klimenko Living Trust	Pro Se
Jeffrey Alan Abraham	Pro Se
JMS Financial, Inc	Pro Se
Deanna Shapiro	Pro Se
BANK OF THE WEST	Pro Se

Plaintiff(s):

Rosendo Gonzalez	Represented By Sherri S Shafizadeh Thomas A Fasel
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Trustee(s):

Rosendo Gonzalez (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01556 Gonzalez v. Klimenko

#12.00 Cont'd status conference re: Complaint objecting to discharge
fr. 1/30/18, 3/20/18

Docket 1

***** VACATED *** REASON: Cont'd from 5/8/18 to 6/5/18 at 1:30 p.m. per
stip & order entered on 3/28/18-st**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 6/5/18 at 1:30 p.m. No
appearances are required on 5/8/18.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh
Michael Jay Berger

Defendant(s):

Wladimir John Klimenko

Pro Se

Plaintiff(s):

Rosendo Gonzalez

Represented By
D Edward Hays

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

1:30 PM

2:17-21936 Samuel Chea

Chapter 7

Adv#: 2:18-01061 Wolkowitz v. Chea

#13.00 Status conference re: Complaint against debtor for denial of discharge
 [11 U.S.C. §727]

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status report requesting a 60 day continuance of the status conference so the parties can complete their settlement discussions. The court on its own motion continues the status conference to 7/10/18 at 1:30 p.m. Plaintiff to give notice to defendant and his counsel. No appearances are required on 5/8/18.

Party Information

Debtor(s):

Samuel Chea

Represented By
Anthony E Contreras

Defendant(s):

Samuel Chea

Pro Se

Plaintiff(s):

Edward M Wolkowitz

Represented By
Carmela Pagay

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

1:30 PM

2:18-14266 Humberto Barrera

Chapter 7

#13.10 Order to show cause re debtor's failure to file the Certificate of Credit Counseling

Docket 10

***** VACATED *** REASON: Certificate of Credit Counseling filed on
4/27/18-mb.**

Tentative Ruling:

Off calendar. The court has issued an order discharging the order to show cause since debtor has filed a certificate of credit counseling. No appearances are required on 5/8/18.

Party Information

Debtor(s):

Humberto Barrera

Represented By
William P Mullins

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

1:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

Adv#: 2:16-01037 Avery v. Gonzalez

#13.20 Cont'd status conference re: Discovery
fr. 5/1/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/7/18. No tentative ruling on the merts. Appearances are required on 5/8/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 4/30/18. Appearances are required on 5/1/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Arturo Gonzalez

Represented By
Anerio V Altman

Defendant(s):

Arturo Gonzalez

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
Brett B Curlee

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

1:30 PM

CONT... Arturo Gonzalez

Chapter 7

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

2:00 PM

2:13-35116 Minon Miller

Chapter 7

#14.00 Cont'd hearing re: Motion for sanctions by creditor Edward Gilliam pursuant to 11 U.S.C. § 105 and Rule 9011 of the Federal Rules of Bankruptcy Procedure fr. 11/15/16, 12/13/16, 5/9/17, 11/14/17

Docket 162

Tentative Ruling:

Updated tentative ruling as of 5/7/18. Off calendar. The hearing is continued to 5/30/18 at 10:00 a.m. by prior order of the court. No appearances are required on 5/8/18.

Updated tentative ruling as of 11/13/17. Off calendar. Since the proceedings on debtor's appeal before the Ninth Circuit Court of Appeals are still pending, the court is issuing an order continuing the hearing in this matter for about 6 months to 5/8/18 at 2:00 p.m. No appearances are required on 11/13/17.

Prior tentative ruling as of 5/8/17. Off calendar. Since the proceedings on debtor's appeal before the Ninth Circuit Court of Appeals are still pending, the court is issuing an order continuing the hearing in this matter for about 6 months to 11/14/17 at 2:00 p.m. No appearances are required on 5/9/17.

Prior tentative ruling as of 12/12/16. Appearances are required on 12/13/16 to discuss the status of debtor's appeal of the order dismissing the bankruptcy case to the United States Court of Appeals for the Ninth Circuit, but counsel and defendant who is self-represented may appear by telephone in accordance with the court's telephone appearance procedures (which may be viewed online on the court's website).

Prior tentative ruling as of 6/6/16. Appearances are required on 6/7/16 to discuss the status of debtor's appeal of the order dismissing the bankruptcy case, but counsel and defendant who is self-represented may appear by telephone in accordance with the court's telephone appearance procedures (which may be viewed online on the court's website).

No tentative ruling as of 11/30/15. Appearances are required on 12/1/15, but

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

2:00 PM

CONT... Minon Miller

Chapter 7

counsel and defendant who is self-represented may appear by telephone in accordance with the court's telephone appearance procedures (which may be viewed online on the court's website).

Party Information

Debtor(s):

Minon Miller

Pro Se

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

2:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

#15.00 Hearing re: Trustee's motion for order approving agreement and authorizing the sale of real property located at 6400 E. Olympic Blvd., Los Angeles, California (A) outside the ordinary course of business; (B) free and clear of liens, claims, and encumbrances; (C) subject to overbids; and (D) for determination of good faith purchaser under 11 U.S.C. § 363(M)

Docket 121

Tentative Ruling:

Grant trustee's motion for order approving agreement and authorizing sale of real property free and clear of liens, claims and encumbrances for the reasons stated in the moving papers and for lack of timely written opposition. No tentative ruling regarding determination of good faith purchaser since there may be overbidding. Appearances are required on 5/8/18.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh
Michael Jay Berger

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

2:30 PM

2:17-18962 Alexander Yulish

Chapter 7

#16.00 Hearing re: Trustee's motion to confirm sale of Mary Corse painting fee and clear of liens

Docket 71

Tentative Ruling:

Grant trustee's motion to sell asset free and clear of liens for the reasons stated in the moving papers, subject to BL2's right to review the proposed order on sale and the liens attach to the proceeds of sale, pursuant to 11 U.S.C. 363(f)(3) since the sales price is greater than the aggregate value of all liens on the asset. Appearances are required on 5/8/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Alexander Yulish

Represented By
Todd L Turoci

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Sonia Singh
Eric P Israel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

2:30 PM

2:18-12918 Herbert Lamar Bain

Chapter 7

#17.00 Hearing re: United States Trustee's motion to dismiss case pursuant to 11 U.S.C. §707(b)(3)(A) and §707(a) with a refiling bar

Docket 9

Tentative Ruling:

No tentative ruling as of 5/7/18. Appearances are required on 5/8/18.

Party Information

Debtor(s):

Herbert Lamar Bain

Pro Se

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 8, 2018

Hearing Room 1675

2:30 PM

2:18-14928 Lynn Terese Giovanazzi

Chapter 7

#18.00 Hearing re: Application to have the chapter 7 filing fee waived or to pay filing fees in installments

Docket 6

Tentative Ruling:

Revised tentative ruling as of 5/7/18. Off calendar. Upon further review, the court approves debtor's application for payment of the filing fee through installment payments, but denies her application for a complete fee waiver because her income exceeds statutory guideline under 28 U.S.C. 1930(f) of 150 percent above the income official poverty line. No appearances are required on 5/8/18.

Party Information

Debtor(s):

Lynn Terese Giovanazzi	Pro Se
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Trustee(s):

Wesley H Avery (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century and 400 S.

Chapter 11

#1.00 Cont'd hearing re: Motion of plan agent to disqualify Brown Rudnick, LLP as counsel to 400 S. La Brea, LLC
fr. 5/2/18

Docket 2320

***** VACATED *** REASON: Cont'd from 5/9/18 to 5/23/18 at 1:30 p.m.
per order entered on 5/4/18-pp.**

Tentative Ruling:

Off calendar. Continued by order to 5/23/18 at 1:30 p.m. No appearances are required on 5/9/18.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#1.10 Cont'd hearing re: Motion of plan agent to sanction 400 S. La Brea, LLC, for violations of Fed. R. Bankr. P. 9011 fr. 5/2/18

Docket 355

***** VACATED *** REASON: Cont'd from 5/9/18 to 5/23/18 at 1:30 p.m.
per order entered on 5/4/18 -pp.**

Tentative Ruling:

Off calendar. Continued by order to 5/23/18 at 1:30 p.m. No appearances are required on 5/9/18.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Douglas Christmas

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By
Alan W Forsley

ACE MUSEUM, a California

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

11:00 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

400 S La Brea, LLC a California

Represented By
Michael W Vivoli
Ashley M McDow
Michael T Delaney
Ronald Rus
Joel S. Miliband

Jennifer Kellen

Represented By
J. Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

11:00 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/24/18, 3/7/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/18. The court has reviewed debtor's status report suggesting a continued status conference in about 60 days. No tentative ruling on the merits. Appearances are required on 3/7/18 to hear from other parties on status, including compliance with United States Trustee requirements, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#3.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/28/18, 3/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 2/28/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

People Who Care Youth Center, Inc. Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#4.00 Cont'd hearing re: Debtor's motion to disallow claims of Cindy S. Magleby
(claim numbers 13, 7, and 12)
fr. 2/7/18, 3/7/18, 3/21/18, 5/2/18

Docket 390

Tentative Ruling:

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed the unilateral pretrial statements of the parties, which are incomplete and inadequate and will not be approved. The "statements" should be a joint pretrial stipulation, and they lack the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court notes that claimant has a pending motion for abstention on her claims set for hearing on 3/21/18. If the court abstains, this itself will not postpone plan confirmation proceedings because the parties may request the court to estimate the claims for voting on plan confirmation. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. If claimant believes that the court should permissively abstain from hearing this contested matter, then she should bring a proper motion for abstention rather than raising the request in her opposition to the objection. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). However, it seems to the court that it could properly hear the objection to claim as a core proceeding under 28 U.S.C. 157(b)(2)(B) and not abstain under *In re Conejo Enterprises, Inc.*, 96 F.3d 346 (9th Cir. 1996). Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#5.00 Cont'd hearing re: Renewed motion for order disallowing claims of Fried & Goldman, APLC (claim no. 15) and Taylor and Liberman (claim no. 16) fr. 3/7/18, 3/21/18, 5/2/18

Docket 394

Tentative Ruling:

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#6.00 Cont'd hearing re: Disclosure statement
fr. 2/7/18, 3/7/18, 3/21/18, 5/2/18

Docket 174

Tentative Ruling:

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court has reviewed debtor's status update and request to continue the status conference. No tentative ruling on the merits. Appearances are required on 3/7/18 to discuss scheduling and the the impact of treatment on creditor Cindy Magleby's claims for plan voting and abstention among other things, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. The court notes that debtor filed a second amended disclosure statement on 1/30/18, 8 days before the further hearing on 2/7/18. Creditor Banc of California filed a response on 1/31/18 objecting to debtor's noticing approval of the amended disclosure statement for the hearing on 2/7/18, citing the court's oral ruling that creditors should be given 3 weeks notice of hearing on an amended disclosure statement. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, including adequate time for creditors to respond to debtor's second amended disclosure statement and a scheduling of a further hearing on debtor's second amended disclosure statement to allow for review and comment by creditors and interested parties, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. The court has reviewed debtor's status report. Appearances are required on 11/29/17 to discuss scheduling of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

further proceedings, including filing date for debtor's second amended disclosure statement, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. Debtor in his status report filed on 2/22/17 indicated that he and his counsel are working on revising and amending the original disclosure statement to include a revised and updated liquidation analysis and taking into account resolutions of claims of creditors, including First Republic Bank (however, the court notes that it disapproved without prejudice the stipulation resolving claim of First Republic Bank in light of objection of creditor Cindy Magelby since it appears that debtor will need to bring a FRBP 9019 motion). Appearances are required on 3/1/17 regarding scheduling of further proceedings for an amended and revised disclosure statement, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

#7.00 Cont'd status conference re: Complaint to recover property of the estate and for turnover of property of the estate pursuant to section 542(a) of the United States Bankruptcy Code, 11 U.S.C. §542(a)
fr. 3/7/18, 3/21/18, 5/2/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed defendant's unilateral pretrial statement, which is incomplete and inadequate and will not be approved. The "statement" should be a joint pretrial stipulation, and it lacks the exhibit lists of the parties and objections to exhibits thereto.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Cindy Magleby

Pro Se

Plaintiff(s):

Curtis C. Magleby

Represented By
Alan F Broidy

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01331 Magleby v. Magleby

#8.00 Cont'd status conference re: Complaint objecting to discharge of debtor pursuant to 11 U.S.C. §§523(a)(5), (a)(15) and §727 fr. 3/7/18, 3/21/18, 5/2/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 9, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits.
Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits.
Appearances are required on 1/25/17, but counsel may appear by telephone.

No tentative ruling as of 11/14/16. Appearances are required on 11/16/16,
but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Curtis C. Magleby

Pro Se

Plaintiff(s):

Cindy Magleby

Represented By
Michael J Conway

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 10, 2018

Hearing Room 1675

10:00 AM

2:10-60711 Brunelle Equities LLC

Chapter 11

#1.00 TRIAL RE: Motion to dismiss case pursuant to 11 U.S.C. section 1112(b) or to convert case to chapter 7
fr. 12/6/17, 3/1/18

Docket 213

Tentative Ruling:

Revised tentative ruling as of 5/9/18. Off calendar. Motion resolved by stipulation and order. No appearances are required on 5/10/18.

Updated tentative ruling as of 5/7/18. No tentative ruling will be issued for the evidentiary hearing on the motion. Appearances are required on 5/10/18.

Prior tentative ruling as of 4/5/18. No tentative ruling will be issued for the evidentiary hearing on the motion. Appearances are required on 4/12/18.

Prior tentative ruling as of 2/28/18. Off calendar. Continued by stipulation and order to 4/12/18 at 9:00 a.m. No appearances are required on 3/1/18.

Prior tentative ruling as of 2/26/18. The court first notes that the parties submitted unilateral pretrial stipulations with counsel declarations as to the circumstances why the pretrial stipulations are unilateral. Aside from the issue of the declaration of counsel for debtor is not properly subscribed under 28 U.S.C. 1746(1) outside the United States requiring the language, "under the laws of the United States of America" as part of the jurat, the court disregards the unilateral pretrial stipulations because the court did not order that pretrial stipulations be filed, only witness and exhibit lists of the parties.

It seems that movant will be able to show at trial that debtor is in material default of the confirmed plan because it is now the assignee of the note and trust deed by the original noteholder, Bank of America, at the time of plan confirmation and that not all the plan payments on the claim have been made. Thus, there are probably grounds at least under 11 U.S.C. 1112(b)(4)(N) to establish cause to dismiss or convert. The court would have to consider what

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 10, 2018

Hearing Room 1675

10:00 AM

CONT... Brunelle Equities LLC

Chapter 11

would be in the best interests of creditors and the estate to dismiss or convert once cause is shown. In re Sullivan, 522 B.R. 604 (9th Cir. BAP 2014). Thus, in this regard, the court would have to consider the interests of all creditors and the estate, and not just movant.

Perhaps movant may want to reconsider asking for dismissal here because dismissal is not going to get movant where it wants to go, i.e., revocation of the confirmed plan to restore its prebankruptcy rights, as argued in its trial brief at 22. The cases movant cites, In re Nash, 765 F.2d 1410 (9th Cir. 1985) and In re Case, 27 B.R. 844 (Bankr. D.S.D. 1983), are completely inapposite since those were Chapter 13 cases, citing 11 U.S.C. 1307(b) and a Chapter 13 debtor's right of voluntary dismissal under that provision. In contrast, this is a Chapter 11 case where a debtor has no right of voluntary dismissal, and there is only one statute that provides for revocation of a confirmed plan, 11 U.S.C. 1144. Mere payment default is not enough to revoke a confirmed plan, but only if plan confirmation was procured by fraud as shown in an adversary proceeding commenced within 180 days of the entry of the plan confirmation order. 11 U.S.C. 1144; see also, 2 March, Ahart and Shapiro, Rutter Group California Practice Guide: Bankruptcy, paragraphs 11:2305-11:2315 at 11-278 - 11-279 (2017). The statute cited by movant, 11 U.S.C. 349, does not support its position since the statutory language does not revoke the plan. Id.

The parties are still bound by the plan, even if the Chapter 11 case is dismissed, since the plan has res judicata effect and the court lacks authority to vacate plan provisions which modify or cram down movant's lien. See 2 March, Ahart and Shapiro, Rutter Group California Practice Guide: Bankruptcy, paragraphs 5:1962 at 5(II)-27 and 11:2294 at 11-278, citing cases. The plan would be still enforceable as a state law contract, and dismissal of the case would mean that the court would not have jurisdiction to enforce the contract and the parties would probably have to go to state court to enforce their rights under the plan contract. Thus, in light of the applicable law as discussed herein, perhaps movant may want to consider taking up the suggestion of counsel for debtor to meet and confer and "work it out." The court would consider a short stipulated continuance of trial for counsel to consider these points and/or discuss a consensual resolution of the matter.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 10, 2018

Hearing Room 1675

10:00 AM

CONT... Brunelle Equities LLC

Chapter 11

Appearances are required on 3/1/18.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact regarding debtor's performance under the confirmed plan and creditor's standing to be resolved in an evidentiary hearing. Treat the hearing on 12/6/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/6/17, and the parties may not call their witnesses to testify on 12/6/17. The court estimates that the evidentiary hearing will take one day and will schedule it for either January or February 2018. If either party believes that there are no genuine issues of material fact and it is entitled to judgment as a matter of law, it may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/6/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Brunelle Equities LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 10, 2018

Hearing Room 1675

10:00 AM

2:10-60711 Brunelle Equities LLC

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 11/29/17, 12/6/17, 3/1/18

Docket 1

Tentative Ruling:

Revised tentative ruling as of 5/9/18. Off calendar. Since creditor's motion to dismiss has been resolved by stipulation and order, the court on its own motion continues the status conference in this case to 8/29/18 at 11:00 a.m. A status report is due on 8/22/18. No appearances are required on 5/10/18.

Updated tentative ruling as of 5/7/18. No tentative ruling will be issued for the evidentiary hearing on the motion. Appearances are required on 5/10/18.

Prior tentative ruling as of 4/5/18. No tentative ruling on the merits. Appearances are required on 4/12/18.

Revised tentative ruling as of 2/28/18. Off calendar. In light of the continuance of the hearing on creditor's motion to dismiss, the court on its own motion continues the status conference in this case to 4/12/18 at 9:00 a.m. No appearances are required on 3/1/18.

Prior tentative ruling as of 11/28/17. Off calendar. The court, after reviewing the case docket, on its own motion continues the status conference to be conducted with the hearing on creditor's motion to dismiss or convert on 12/6/17 at 11:00 a.m. No appearances are required on 11/29/17.

Prior tentative ruling as of 10/25/17. Off calendar. Continued by stipulation and order to 11/29/17 at 11:00 A.M. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 10, 2018

Hearing Room 1675

10:00 AM

CONT... Brunelle Equities LLC

Chapter 11

Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. The court has reviewed debtor's status report filed on 2/23/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/10/17. Off calendar. Continued by stipulation and order to 3/1/17 at 11:00 a.m. No appearances are required on 1/11/17.

Prior tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/13/16. No tentative ruling on the merits, but debtor should address why a postconfirmation status report was not timely filed as ordered by the court on 10/18/16. Appearances are required on 12/14/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Brunelle Equities LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, May 11, 2018

Hearing Room 1675

10:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#1.00 Cont'd hearing re: Discovery telephonic status conference on confirmation of plan
fr. 4/25/18, 5/4/18, 5/8/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 5/9/18. Appearances are required on 5/11/18, but counsel may and should appear by telephone.

No updated tentative ruling as of 4/30/18. Appearances are required on 5/4/18, but counsel may and should appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, May 11, 2018

Hearing Room 1675

10:00 AM

CONT... Swing House Rehearsal and Recording, Inc.

Chapter 11

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 15, 2018

Hearing Room 1675

10:00 AM

2:16-18600 Jens Larsen

Chapter 7

Adv#: 2:16-01446 Perske v. Larsen

#1.10 Hearing re: Motion of Joseph W. Kellener to be relieved as counsel for defendant and debtor Jens F. Larsen

Docket 151

Tentative Ruling:

No tentative ruling will be issued for the application heard on shortened notice. Appearances are required on 5/15/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Jens Larsen

Represented By
Matthew D Resnik

Defendant(s):

Jens F Larsen

Represented By
Joseph W Kellener

Plaintiff(s):

Jacquelynn Perske

Represented By
Damion Robinson

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Carmela Pagay
Diane C Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 15, 2018

Hearing Room 1675

1:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#1.00 Cont'd hearing re: Motion to dismiss
fr. 1/31/17, 6/13/17, 11/14/17

Docket 23

***** VACATED *** REASON: Cont'd from 5/15/18 to 5/29/18 at 2:30 p.m.
per order entered on 5/7/18- st**

Tentative Ruling:

Updated tentative ruling as of 5/11/18. Off calendar. Continued by prior order to 5/29/18 at 2:30 p.m. to be conducted with hearing on plaintiff's motion to substitute party. No appearances are required on 5/15/18.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/12/17. No tentative ruling on the merits. Appearances are required on 6/13/17, but counsel may appear by telephone.

Updated tentative ruling as of 1/30/17. The parties should appear telephonically to discuss the impact of the pending related state court action on this adversary proceeding, that is, whether the proceedings in this matter should be stayed pending the resolution of plaintiff's claims in state court. Appearances are required on 1/31/17, but counsel and plaintiff representing himself may appear by telephone.

Prior tentative ruling as of 10/3/16. Since plaintiff is pursuing liquidation of his substantive claims in state court litigation and the court would stay the proceedings in this court until the state court litigation is completed, the court would deny the motion without prejudice. Appearances are required on 10/4/16, but counsel and self-represented parties may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits. Appearances are required on 10/4/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 15, 2018

Hearing Room 1675

1:30 PM

CONT... Gary Moll

Chapter 7

Prior tentative ruling as of 9/12/16. The court has reviewed the state court's order for dismissal without prejudice of the malpractice action in that court. It appears that the court should refer the case to the United States District Court because of the claim for personal injury damages must be determined by that court, which claim is intertwined with the dischargeability action. Alternatively, the court could abstain, allow plaintiff to refile the malpractice action in state court and not refer the case to the District Court. Appearances are required on 9/13/16, but the parties may appear by telephone.

Prior tentative ruling as of 8/22/16. No tentative ruling on the merits. The parties should address the court's request for clarification of dismissal order for the state court malpractice case and possible referral of case to the United States District Court because of the claim for personal injury damages. Appearances are required on 8/23/16, but counsel may appear by telephone.

No tentative ruling as of 8/8/16. Appearances are required on 8/9/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Gary Moll

Represented By
Ilyse Klavir
Gary E Moll

Defendant(s):

Gary E Moll

Represented By
Ilyse Klavir
Gary E Moll

Gary E Moll and Associates

Represented By
Ilyse Klavir
Gary E Moll

Plaintiff(s):

Gary Salzman

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 15, 2018

Hearing Room 1675

1:30 PM

CONT... Gary Moll

Chapter 7

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 15, 2018

Hearing Room 1675

1:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#2.00 Cont'd status conference re: Complaint for dischargeability 11 U.S.C. §523(a)(2), false pretenses, false representation, actual fraud and dischargeability; 11 U.S.C. §523(a)(6), willful and malicious injury; verification fr. 1/31/17, 6/13/17, 11/14/17

Docket 1

***** VACATED *** REASON: Cont'd from 5/15/18 to 5/29/18 at 2:30 p.m.
per order entered on 5/7/18 st**

Tentative Ruling:

Updated tentative ruling as of 5/11/18. Off calendar. Continued by prior order to 5/29/18 at 2:30 p.m. to be conducted with hearing on plaintiff's motion to substitute party. No appearances are required on 5/15/18.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/30/17. The parties should appear telephonically to discuss the impact of the pending related state court action on this adversary proceeding, that is, whether the proceedings in this matter should be stayed pending the resolution of plaintiff's claims in state court. Appearances are required on 1/31/17, but counsel and plaintiff representing himself may appear by telephone.

Prior tentative ruling as of 10/3/16. Since plaintiff is pursuing liquidation of his substantive claims in state court litigation, and the court would stay the proceedings in this court until the state court litigation is completed. Appearances are required on 10/4/16, but counsel and self-represented parties may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits. Appearances are required on 10/4/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 15, 2018

Hearing Room 1675

1:30 PM

CONT...

Gary Moll

Chapter 7

Prior tentative ruling as of 9/12/16. The court has reviewed the state court's order for dismissal without prejudice of the malpractice action in that court. It appears that the court should refer the case to the United States District Court because of the claim for personal injury damages must be determined by that court, which claim is intertwined with the dischargeability action. Alternatively, the court could abstain, allow plaintiff to refile the malpractice action in state court and not refer the case to the District Court. Appearances are required on 9/13/16, but the parties may appear by telephone.

Prior tentative ruling as of 8/22/16. No tentative ruling on the merits. The parties should address the court's request for clarification of dismissal order for the state court malpractice case and possible referral of case to the United States District Court because of the claim for personal injury damages. Appearances are required on 8/23/16, but counsel may appear by telephone.

Prior tentative ruling as of 8/8/16. No tentative ruling on the merits. Appearances are required on 8/9/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. Off calendar. The court noting that defendant has noticed a hearing on his motion to dismiss the first amended complaint on 8/9/16 at 3:30 p.m., the court continues on its own motion the status conference on 7/19/16 at 1:30 p.m. to the date and time of the hearing on defendant's motion to dismiss the first amended complaint on 8/9/16 at 3:30 p.m. No appearances are required on 7/19/16.

Prior tentative ruling. The status conference will be heard at 3:00 p.m. with the hearing on defendant's motion to dismiss. Appearances are required on 3:00 p.m. calendar, not the 1:30 p.m. calendar. No tentative ruling on the merits for the status conference.

Party Information

Debtor(s):

Gary Moll

Represented By
Ilyse Klavir

Defendant(s):

Gary E Moll

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 15, 2018

Hearing Room 1675

1:30 PM

CONT... Gary Moll

Chapter 7

Gary E Moll and Associates

Ilyse Klavir

Represented By
Ilyse Klavir

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

Howard M Ehrenberg (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 15, 2018

Hearing Room 1675

1:30 PM

2:17-12087 Leala M. Simich

Chapter 7

Adv#: 2:17-01469 Goodrich v. Simich et al

- #3.00** Cont'd status conference re: Trustee's complaint for (1) avoidance of real property transfer; (2) recovery of avoided transfer; (3) a declaratory judgment quieting title to real property; (4) turnover; (5) injunctive relief; (6) permission to sell real property in which a party other than the debtor asserts an interest [11 U.S.C. §§105(a), 363(h), 542, 544 and 550, and 28 U.S.C. §2201(a)]
fr. 11/14/17

Docket 1

*** VACATED *** **REASON: Order of dismissal entered on 5/4/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/11/18. Off calendar. Adversary proceeding dismissed by order entered on 5/4/18. No appearances are necessary.

Prior tentative ruling. Set discovery completion date of 4/30/18 and set a post-discovery status conference for 5/15/18 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 12/31/17 and to complete mediation by 5/15/18. Appearances are required on 11/14/17, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Leala M. Simich

Represented By
Glenn Ward Calsada

Defendant(s):

Tozar Simich

Pro Se

DOES 1-20

Pro Se

Plaintiff(s):

David M. Goodrich

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 15, 2018

Hearing Room 1675

1:30 PM

CONT... Leala M. Simich

Chapter 7

Trustee(s):

David M Goodrich (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 15, 2018

Hearing Room 1675

1:30 PM

2:17-24993 Mary Katherine Cummins-Cobb

Chapter 7

Adv#: 2:18-01066 Khionidi v. Cummins-Cobb

#4.00 Status conference re: Complaint objecting to discharge pursuant to §727(a)(2)-(5) and to determine the nondischargeability of debt pursuant to §523(a)(6)

Docket 1

***** VACATED *** REASON: Cont'd from 5/15/18 to 5/22/18 at 2:30 p.m.
per order entered on 5/7/18- st**

Tentative Ruling:

Updated tentative ruling as of 5/11/18. Off calendar. Continued by prior order to 5/22/18 at 2:30 p.m. to be conducted with hearing on plaintiff's motion for judgment on the pleadings. No appearances are required on 5/15/18.

Party Information

Debtor(s):

Mary Katherine Cummins-Cobb Pro Se

Defendant(s):

Mary Katherine Cummins-Cobb Pro Se

Plaintiff(s):

Konstantin Khionidi Represented By
Philip H Stillman

Trustee(s):

Peter J Mastan (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

11:00 AM

2:12-28426 Chestnut, LLC

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 12/14/16, 6/14/17, 12/13/17

Docket 59

Tentative Ruling:

Updated tentative ruling as of 5/11/18. Off calendar. The court has reviewed debtor's status report filed on 5/9/18 reporting that debtor is preparing a motion for final decree and requesting a 60 to 90 day continuance of the status conference for such motion to be noticed and heard. The court on its own motion continues the status conference to 8/8/18 at 11:00 a.m. No appearances are required on 5/16/18.

Updated tentative ruling as of 12/11/17. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/13/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/17. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. Appearances are required on 3/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

11:00 AM

CONT... Chestnut, LLC

Chapter 11

Prior tentative ruling as of 5/11/15. Appearances are required on 5/12/15, but counsel may appear by telephone.

Party Information

Debtor(s):

Chestnut, LLC

Represented By
Raymond H Aver

Movant(s):

Chestnut, LLC

Represented By
Raymond H Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

11:00 AM

2:17-24288 Yong Xin Investment Group, LLC

Chapter 11

#2.00 Cont'd hearing re: Motion for order extending the exclusivity period under 11 U.S.C. § 1121(d) and extending the period for filing a plan under 11 U.S.C. §362(d)(3) fr. 3/28/18

Docket 25

Tentative Ruling:

Revised tentative ruling as of 5/11/18. Off calendar. Continued by stipulation and order to 6/6/18 at 11:00 a.m. No appearances are required on 5/16/18.

Revised tentative ruling as of 3/26/18. Off calendar. Continued by stipulation and order to 5/16/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling. Assuming the court does not grant creditors' pending stay relief motion under 11 U.S.C. 362(d)(3), grant motion to extend plan exclusivity under 11 U.S.C. 1121(d) because cause to extend plan exclusivity for a short period of time, about 90 days, to 7/1/18 is shown by debtor marketing the property "as is," proceeding with claims resolution process by having a bar date set, attempting to obtain LADRP approval of a final subdivision map and this is the first request to extend exclusivity. Granting a first extension of plan exclusivity does not necessarily favor further extensions unless debtor makes specific progress in either marketing the property or obtaining land use approvals to develop the real property. Appearances are required on 3/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Yong Xin Investment Group, LLC

Represented By
James S Yan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

11:00 AM

2:17-24288 Yong Xin Investment Group, LLC

Chapter 11

#3.00 Cont'd hearing re: Motion for relief from stay
(Ta Siu & Qin Chen VS Debtor)
fr. 3/27/18

Docket 29

Tentative Ruling:

Revised tentative ruling as of 5/11/18. Off calendar. Continued by stipulation and order to 6/6/18 at 11:00 a.m. No appearances are required on 5/16/18.

Revised tentative ruling as of 3/26/18. Off calendar. Continued by stipulation and order to 5/16/18 at 11:00 a.m. No appearances are required on 3/27/18.

Prior tentative ruling. Deny motion for relief from stay under 11 U.S.C. 362(d) (1) on grounds of bad faith since the circumstances argued by movants that the debtor is a SARE and that there are few other creditors and movants are the major creditors, and thus, this is only a two-party dispute, by themselves do not make this case to be one filed in bad faith.

Deny motion for relief from stay under 11 U.S.C. 362(d)(3) on condition that debtor pay adequate protection payments to movants based on the 8% nondefault contract rate of interest on the value of the creditors' interest in the real estate, retroactive to the date of the first adequate protection payment. It appears that: (1) counsel for the parties were negotiating adequate protection terms in good faith near the end of the 90-day period after the order for relief; (2) counsel for movants proposed 6% to counsel for debtor during the negotiation, but was unable to obtain client authorization for that proposal and notified counsel for debtor right before the end of the 90 day period; (3) given the shortness of time in the notification of lack of client authority by counsel for movant before the deadline, debtor made a first adequate protection payment at 6% rate preliminarily proposed by counsel for movant before the deadline, which seems to be in good faith; and (4) however, there was no agreement between the parties for adequate protection payments less than the 8% nondefault contract rate, and movants have not waived their rights under 11 U.S.C. 362(d)(3) for at least adequate protection payments based

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

11:00 AM

CONT... **Yong Xin Investment Group, LLC**

Chapter 11

on the nondefault contract rate of 8%, the statute says what it says, and debtor needs to pay that rate as adequate protection if it wants the stay to remain in place under 11 U.S.C. 362(d)(3). If debtor is not willing to pay the 8% rate, the court will grant the motion under 11 U.S.C. 362(d)(3). Debtor in its reply states that it has no problem paying 8%, but the value of the property for adequate protection purposes should be \$3 million, yielding an adequate protection payment of \$20,000, which is less than what was first paid. Apparently, during the adequate protection negotiations, the parties assumed that the value was \$4.5 million, and there may be a material issue of fact of the adequacy of the adequate protection payments for purposes of 11 U.S.C. 362(d)(3) based on differences in valuation of the subject collateral. If the parties dispute valuation, the court will set an evidentiary hearing on valuation, and the parties should be prepared to discuss how they will prove up valuation for the purposes of this motion at the hearing.

Appearances are required on 3/27/18, but counsel may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Yong Xin Investment Group, LLC

Represented By
James S Yan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

11:00 AM

2:17-24288 Yong Xin Investment Group, LLC

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/10/18, 4/11/18

Docket 1

Tentative Ruling:

Revised tentative ruling as of 5/11/18. Off calendar. Continued by stipulation and order to 6/6/18 at 11:00 a.m. No appearances are required on 5/16/18.

Prior tentative ruling. The court has reviewed debtor's status report. The proposed claims bar date and notice dates proposed in the status report are satisfactory. Because debtor indicated on the petition that this is a single asset real estate case, debtor should advise the court whether it will be asking the court for an extension of the 90 day deadline for filing a plan or commencing adequate protection payments to avoid stay relief under 11 U.S.C. 362(d)(3) for a creditor whose claim is secured by the real estate. Appearances are required on 1/10/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Yong Xin Investment Group, LLC

Represented By
James S Yan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

11:00 AM

2:18-10551 Nina Mosby

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/7/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/11/18. The court has reviewed debtor's status report filed on 5/9/18. No tentative ruling on the merits. Appearances are required on 5/16/18, but counsel may appear by telephone.

Updated tentative ruling as of 3/5/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Nina Mosby

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

11:00 AM

2:18-13300 The 17/21 Group, LLC

Chapter 11

#6.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. Regarding debtor's proposed claims bar dates, the court requires at least 60 days notice to nongovernmental creditors, and debtor's proposed bar date for governmental creditors of 7/30/18 is inconsistent with 11 U.S.C. 502(b)(9) providing that claims of governmental units are timely if filed before 180 days after the order for relief. Otherwise, no tentative ruling on the merits. Appearances are required on 5/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

The 17/21 Group, LLC

Represented By
Brett Ramsaur

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

11:00 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 11

#6.10 Cont'd status conference re: Management of chapter 11 case
fr. 5/2/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/11/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Debtor should be prepared to discuss its ability to complete the work in progress consisting of the 58 projects in various states of completion discussed in the status report. Debtor stated that it is working to complete these projects with a gross sales price of \$1.9 million, but "the projected net income is highly dependent on (i) costs of materials and subcontractors and (ii) cooperation from the financing companies that fund customer projects." Debtor also stated that materials and subcontractor costs comprise about 55% of gross revenue and that it has postpetition subcontractor payables of \$136,000 and unpaid payroll tax and benefit obligations of \$70,000 (Debtor needs to clarify whether these payroll tax and benefit obligations are pre or postpetition). Appearances are required on 5/16/18, but counsel may appear by telephone.

No tentative ruling as of 5/1/18. Appearances are required on 5/2/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#7.00 Cont'd hearing re: Application to convert case to chapter 7 cased upon debtor's failure to comply with prior court order
fr. 3/21/18, 4/2/18, 4/25/18

Docket 314

Tentative Ruling:

No updated tentative ruling as of 5/11/18. Appearances are required on 5/16/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

No tentative ruling as of 2/26/18. Appearances are required on 2/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#8.00 Cont'd hearing re: Motion to modify plan
fr. 3/21/18, 4/2/18, 4/25/18

Docket 263

Tentative Ruling:

No updated tentative ruling as of 5/11/18. Appearances are required on 5/16/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

CONT... Swing House Rehearsal and Recording, Inc. and Philip Chapter 11

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 and the related motion to modify plan set for 11/2/17 at 9:00 a.m. will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#9.00 Cont'd hearing re: Motion to value collateral supporting claim 7-1
[11 U.S.C. §506(a), FRBP 3012]
fr. 3/21/18, 4/2/18, 4/25/18

Docket 223

Tentative Ruling:

No updated tentative ruling as of 5/11/18. Appearances are required on 5/16/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

**CONT... Swing House Rehearsal and Recording, Inc. and Philip
telephone.**

Chapter 11

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the hearing on 11/2/17 will be treated as a status conference. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#10.00 Cont'd status conference re: Confirmation of plan
fr. 3/21/18, 4/2/18, 4/25/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 5/11/18. Appearances are required on 5/16/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

CONT... Swing House Rehearsal and Recording, Inc.

Chapter 11

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#11.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/21/18, 4/2/18, 4/25/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 5/11/18. Appearances are required on 5/16/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

CONT... Swing House Rehearsal and Recording, Inc.

Chapter 11

Prior tentative ruling as of 10/30/17. No tentative ruling on the merits.
Appearances are required on 11/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.
Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#11.10 Hearing re: Stipulation to dismiss case with judgment for payment of quarterly fees for hearing

Docket 373

Tentative Ruling:

No tentative ruling as of 5/11/18. Appearances are required on 5/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

#12.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/11/18. The court will discuss the pending stipulation of Debtor and the United States Trustee to dismiss his bankruptcy case, which has been objected to by Creditor Jonathan Mover. Appearances are required on 5/16/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

CONT... Philip Joseph Jaurigui

Chapter 11

Prior tentative ruling as of 11/6/17. No tentative ruling on the merits.
Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.
Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 1/11/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 11

Adv#: 2:17-01245 7175 WB, LLC v. Jaurigui

#13.00 Cont'd status conference re: Complaint to determine nondischargeability of debt (11 U.S.C. §§523(a)(2) and (a)(6))
fr. 1/9/18, 2/28/18, 3/21/18, 4/2/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 5/11/18. Appearances are required on 5/16/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 16, 2018

Hearing Room 1675

1:00 PM

CONT... Philip Joseph Jaurigui

Chapter 11

Appearances are required on 11/29/17, but counsel may appear by telephone.

Updated tentative ruling as of 11/6/17. No tentative ruling on the merits. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/27/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

7175 WB, LLC

Represented By
Michael D Good

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:17-12087 Leala M. Simich

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(JPMorgan Chase Bank, N.A. VS Debtors)

Docket 51

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Leala M. Simich

Represented By
Glenn Ward Calsada

Movant(s):

JPMORGAN CHASE BANK, N.A.

Represented By
Jamie D Hanawalt

Trustee(s):

David M Goodrich (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:17-19753 Luiz Alberto Avila and Claudia Ramirez

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corp. VS Debtors)

Docket 21

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny relief from stay pursuant to 11 U.S.C. 362(d)(2) because movant's valuation in the moving papers shows equity of \$7,064.45. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Luiz Alberto Avila

Represented By
Heather J Canning

Joint Debtor(s):

Claudia Ramirez

Represented By
Heather J Canning

Movant(s):

Toyota Motor Credit Corporation

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

CONT...

Luiz Alberto Avila and Claudia Ramirez

Chapter 7

Austin P Nagel

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#3.00 Hearing re: Motion for relief from stay
(Specialized Loan Servicing LLC VS Debtor)

Docket 221

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1), (2) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 10 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

No tentative ruling on waiver of the 14-day waiting period under FRBP 4001(a)(3) in light of debtor's opposition.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Appearances are required on 5/22/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-11067 Farzan Amir Ekhtiar

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Fifth Third Bank VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny relief from stay pursuant to 11 U.S.C. 362(d)(2) because movant's valuation in the moving papers shows equity of \$4,681.83. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Farzan Amir Ekhtiar

Represented By
James R Balesh

Movant(s):

Fifth Third Bank

Represented By
Austin P Nagel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

CONT... Farzan Amir Ekhtiar

Chapter 7

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-12279 Hamlet Khodagulyan

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Bayview Loan Servicing, LLC VS Debtor)

Docket 17

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny relief from stay pursuant to 11 U.S.C. 362(d)(2) because movant has not met its burden of proving lack of equity under 11 U.S.C. 362(g)(1) based on inadmissible evidence of valuation from Zillows.com, which lacks evidentiary foundation because the qualifications for such expert witness testimony is not established. FRE 702. The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Hamlet Khodagulyan	Pro Se
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Trustee(s):

John J Menchaca (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-12570 Robert P. Mijares II

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Wells Fargo Bank N.A.VS Debtor)

Docket 12

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362(d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Robert P. Mijares II

Pro Se

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-12964 Placemark Properties LLC

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(Anchor Assets V, LLC VS Debtor)

Docket 18

Tentative Ruling:

Revised tentative ruling as of 5/21/18 at 4:00 p.m. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1), (2) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny relief from stay pursuant to 11 U.S.C. 362(d)(3) because movant has not made a prima facie showing that the requirements of that statute exist here.

The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does make a finding of bad faith as to debtor. See *In re Dorsey*, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

In light of debtor's late filed opposition filed on 5/21/18 at 12:06 p.m., appearances are required on 5/22/18, but counsel may appear by telephone. Debtor's late-filed opposition is unexcused and debtor's failure to file and serve a timely opposition may be deemed consent to granting relief adverse to it pursuant to LBR 9013-1(h). In any event, debtor's late-filed opposition is "too little, too late" in that it fails to submit any evidence in support of its arguments.

Deny debtor's motion for continuance filed on 5/21/18 as late and untimely filed because not filed at least 3 days before the date set for hearing as required by LBR 9013-1(m)(1).

No tentative ruling on waiver of the 14-day stay on enforcement under FRBP 4001(a)(3) in light of debtor's late-filed opposition.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

CONT... Placemark Properties LLC

Chapter 7

Debtor(s):

Placemark Properties LLC

Represented By
Kelly L Pexton

Movant(s):

Anchor Assets V, LLC

Represented By
Glenn C Kelble

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-13057 Anna J Bowes

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(PennyMac Loan Services, LLC VS Debtor)

Docket 30

Tentative Ruling:

Treat as a contested matter under FRBP 9014 since there are disputed issues of material fact regarding valuation of the subject property to determine whether movant's lien is adequately protected by an equity cushion under 11 U.S.C. 362(d)(1) and whether debtor has equity in the property under 11 U.S.C. 362(d)(2). The court will conduct the hearing as a status conference, and the parties should be prepared to discuss scheduling of an evidentiary hearing. Appearances are required on 5/22/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Anna J Bowes

Represented By
Roxanne Bonar

Movant(s):

PennyMac Loan Services, LLC

Represented By
Robert P Zahradka

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#9.00 Hearing re: Motion for relief from stay
(NF Poinsettia Investors, L.P. VS Debtor)

Docket 37

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#10.00 Hearing re: Motion for relief from stay
(Equity Residential Management LLC VS Debtor)

Property: 3201 Sawtelle Boulevard #316, Los Angeles CA 90066

Docket 55

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Movant(s):

EQUITY RESIDENTIAL

Represented By
Agop G Arakelian

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

CONT... Yehuda Kelman

Chapter 7

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#11.00 Hearing re: Motion for relief from stay
(Weho Domain LLC VS Debtor)

Docket 42

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#12.00 Hearing re: Motion for relief from stay
(Equity Residential Management, LLC VS Debtor)

Property: 10001 Venice Boulevard #315, Los Angeles, CA 90034

Docket 41

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

CONT... Yehuda Kelman

Chapter 7

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#13.00 Hearing re: Motion for relief from stay
(NF Playa Del Oro, LP VS Debtor)

Docket 40

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#14.00 Hearing re: Motion for relief from stay
(NF Joshua Investors, LP VS Debtor)

Docket 39

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#15.00 Hearing re: Motion for relief from stay
(US12GJV, LLC VS Debtor)

Docket 38

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-13547 Froilan S. Bolosan and Glenda M. Bolosan

Chapter 7

#16.00 Hearing re: Motion for relief from stay
(Seterus, Inc. VS Debtors)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Froilan S. Bolosan

Represented By
Raymond J Bulaon

Joint Debtor(s):

Glenda M. Bolosan

Represented By
Raymond J Bulaon

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-13759 Charles Peters

Chapter 11

#17.00 Hearing re: Motion for relief from stay
(County of Riverside VS Debtor)

Docket 20

Tentative Ruling:

Treat as a contested matter under FRBP 9014 since there are disputed issues of material fact regarding debtor's good faith in filing this case and whether the filing of debtor's petition was part of a scheme to hinder, delay or defraud creditors. The court will conduct the hearing as a status conference, and the parties should be prepared to discuss scheduling of an evidentiary hearing. Appearances are required on 5/22/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-14632 Maria Comez

Chapter 7

#18.00 Hearing re: Motion for relief from stay
(Palmer/Boston St. Properties, III VS Debtor)

Docket 8

Tentative Ruling:

Deny the stay relief motion as moot because the bankruptcy case was dismissed for failure to file schedules on 5/11/18. Appearances are optional on 5/22/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Maria Comez	Pro Se
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Trustee(s):

Sam S Leslie (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

10:30 AM

2:18-14665 Hugo Hernandez

Chapter 11

#18.10 Hearing re: Motion in individual case for order imposing a stay or continuing the automatic stay as the court deems appropriate

Property re: 7915 Harper Ave, Downey, CA 90241

Docket 11

Tentative Ruling:

Based on opposition of Specialized Loan Servicing, LLC, as servicer for secured creditor U.S. Bank as trustee for Deutsche securitization trust, deny motion to continue stay because debtor only recently acquired an interest in the subject real property on 4/19/18, shortly before the bankruptcy petition was filed on 4/27/18, for no consideration, this last transfer was part of a series of transfers of interests in the subject property involving the original borrower, George Palma, not consented to by the lender, given the recency of this transfer, it appears that this transfer was to hinder, delay or defraud the lender, and thus, based on this record, debtor has not rebutted the presumption of lack of good faith under 11 U.S.C. 362(c)(2) by clear and convincing evidence. Appearances are required on 5/22/18. The court may take live testimony from witnesses, including debtor, at the hearing regarding the moving and opposing papers.

Party Information

Debtor(s):

Hugo Hernandez

Represented By
Lionel E Giron

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01102 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#19.00 Cont'd pretrial conference re: Complaint for (1) to Avoid and Recover Fraudulent or Avoidable Transfers; (2) for Imposition of Constructive Trust; (3) for Unjust Enrichment; (4) for Turnover; and (5) to Disallow Claims fr. 7/25/17, 10/24/17, 3/20/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings, including setting discovery cutoff, pretrial conference and trial dates, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Updated tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that the parties are discussing settlement and intend to agree to a 90 day continuance of the discovery cutoff date at defendant's request. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation Chapter 7

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Raimon Mark Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01103 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#20.00 Cont'd pretrial conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) for Imposition of Constructive Trust; (3) for Unjust Enrichment; (4) for Turnover; and (5) to Disallow Claims
fr. 7/25/17, 10/24/17, 3/20/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings, including setting discovery cutoff, pretrial conference and trial dates, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that the parties are discussing settlement and intend to agree to a 90 day continuance of the discovery cutoff date at defendant's request. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

CONT... **Corona Care Convalescent Corporation** **Chapter 7**

advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Michael Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01104 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#21.00 Cont'd status conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 7/25/17, 10/24/17, 3/20/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings in light of defendant's pending Chapter 7 bankruptcy case, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. Updated tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that counsel for defendant has not responded to counsel for trustee's inquiries about preparing and filing a joint status report. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

CONT... **Corona Care Convalescent Corporation** **Chapter 7**

plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Renato Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01105 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#22.00 Cont'd status conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 7/25/17, 10/24/17, 3/20/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. the court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings in light of defendant's pending Chapter 7 bankruptcy case, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. Updated tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that counsel for defendant has not responded to counsel for trustee's inquiries about preparing and filing a joint status report. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

CONT... **Corona Care Convalescent Corporation** **Chapter 7**

plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Felicidad Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01112 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#23.00 Cont'd pretrial conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 7/25/17, 10/24/17, 3/20/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings, including setting discovery cutoff, pretrial conference and trial dates, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that the parties are discussing settlement and intend to agree to a 90 day continuance of the discovery cutoff date at defendant's request. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation Chapter 7

Prior tentative ruling. At the status conferences on related party matters on 5/3/16, counsel for the parties represented on the record that they were agreeable to the dates set in the related matters and would submit a stipulation and proposed scheduling order, which would incorporate the dates set in those other matters.

Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Appearances are optional on 5/3/16, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Mariam Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

2:16-18163 Anthony Curtis Wells
Adv#: 2:16-01341 Dumas v. Wells

Chapter 7

#24.00 Cont'd status conference re: Complaint for nondischargeability of debt
(USC §523(a)(2)(A)(6))
fr. 5/30/17, 9/26/17, 2/20/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. The court has reviewed the joint status report reporting the affirmance of the state court judgment in favor of plaintiff and against defendant. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. Off calendar. The court has reviewed the joint status report suggesting that the status conference be continued to May 2018 in light of the pending appeal in the related state court litigation where oral argument is estimated to be scheduled that month. The court on its own motion continues the status conference to 5/22/18 at 1:30 p.m. No appearances are required on 2/20/18.

Prior tentative ruling as 9/25/17. Off calendar. The court has reviewed the joint status report stating that the related state court appellate proceedings are still pending and that the status conference should be continued to February 2018. The court on its own motion continues the status conference to 2/20/18 at 1:30 p.m. Counsel for plaintiff is ordered to file and serve a notice of continuance of status conference. No appearances are required on 9/26/17.

Prior tentative ruling as 5/26/17. No tentative ruling on the merits. Appearances are required on 5/30/17 to update the status of the state appellate proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/27/17. The status conference will be delayed to 2:00 p.m. because the court has a commitment offsite at the lunch hour. The court has reviewed the joint status report discussing the status of the related

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

CONT... Anthony Curtis Wells Chapter 7

proceedings before the state appellate court and requesting a continuance of the status conference pending the decision of the state appellate court. The court on its own motion continues the status conference to 9/26/17 at 1:30 p.m. and orders the parties to file a further joint status report by 9/19/17. No appearances are required on 3/28/17.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/4/16 to discuss scheduling of mediation and trial, and the arrangements for a stay of this adversary proceeding pending appellate review of judgment in related state court litigation, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Anthony Curtis Wells

Pro Se

Plaintiff(s):

Jose L. Dumas

Represented By
John Clark Brown Jr

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

2:16-26326 Randolph Carl Scales

Chapter 7

Adv#: 2:17-01192 Diamond, Chapter 7 Trustee, Plaintiff v. Scales

#25.00 Cont'd status conference re: Trustee's complaint: (1) to avoid and recover fraudulent transfer; and (2) for turnover fr. 5/16/17, 2/20/18

Docket 1

***** VACATED *** REASON: Cont'd from 5/22/18 to 7/31/18 at 1:30 p.m. per stip & order entered on 5/14/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 7/31/18 at 1:30 p.m. No appearances are required on 5/22/18.

Prior tentative ruling. The court has reviewed the joint status report. Set discovery completion date of 1/31/18 and set a post-discovery status conference for 2/20/18 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 7/31/17 and to complete mediation by 2/28/17. Appearances are required on 5/16/17, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Randolph Carl Scales

Represented By
Daniel King

Defendant(s):

Michelle Renee Scales

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Sonia Singh

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

CONT... Randolph Carl Scales

Chapter 7

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Zev Shechtman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

2:17-11972 Beverly Monique Murray-Calcote

Chapter 7

Adv#: 2:17-01487 United States Trustee (LA) v. Murray-Calcote

#26.00 Cont'd status conference re: Complaint for denial of discharge pursuant to 11 U.S.C. §727(a)(2), (a)(3), (a)(4) and (a)(5) fr. 11/28/17

Docket 1

***** VACATED *** REASON: Dismissed by stip & order entered on 1/26/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Adversary proceeding dismissed by stipulation and order entered on 1/26/18. No appearances are required on 5/22/18.

Prior tentative ruling. The court has reviewed the joint status report required under LBR 7016-1 to be filed 14 days before the status conference, which was late-filed on 11/27/17, and the court has reviewed the declaration of counsel for United States Trustee re: unilateral filing of status report stating that counsel for defendant was unresponsive to requests to prepare the joint status report. Appearances are required on 11/28/17 to address why monetary sanctions of \$100 should not be imposed against Oaktree Law, counsel for defendant, for failure to timely submit a joint status report as required by LBR 7016-1.

Set discovery cutoff date of 5/18/18, a pretrial conference for 6/19/18 at 2:00 p.m. and a deadline for filing a joint pretrial stipulation of 6/12/18. United States Trustee to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Beverly Monique Murray-Calcote

Represented By
Julie J Villalobos

Defendant(s):

Beverly Monique Murray-Calcote

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

CONT... Beverly Monique Murray-Calcote

Chapter 7

Plaintiff(s):

United States Trustee (LA)

Represented By
Kenneth G Lau

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Noreen A Madoyan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01008 Grand View Financial, LLC v. Wilmington Savings Fund Society, FSB et al

#27.00 Cont'd status conference re: Complaint for: (1) declaratory relief regarding alleged standing of certain defendants under note and deed of trust, purported foreclosure sale, purported trustees deed upon sale, and title to real property; (2) turnover of real property; (3) disallowance of any claims of defendants; (4) violation of fair debt collection practices act
fr. 3/20/18

Docket 1

***** VACATED *** REASON: Cont'd from 5/22/18 to 7/10/18 at 1:30 p.m.
per stip & order entered on 5/14/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 7/10/18 at 1:30 p.m. No appearances are required on 5/22/18.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report requesting a continuance of the status conference for about 60 days. The court on its own motion continues the status conference to 5/22/18 at 1:30 p.m, and has entered an order so continuing the status conference. A joint status report is due on 5/15/18. Plaintiff is to give written notice of continuance to defendant or its counsel. No appearances are required on 3/20/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Wilmington Savings Fund Society,

Pro Se

Christiana Trust, a Division of

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

CONT... Grand View Financial LLC

Chapter 11

Entra Default Solutions, LLC

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01018 Grand View Financial, LLC v. Deutsche Bank Trust Company Americas, As

#28.00 Cont'd status conference re: Complaint for: (1) declaratory relief regarding alleged standing of certain defendants under note and deed of trust, purported foreclosure sale, purported trustee's deed upon sale, purported subsequent sale and grant deed, and title to real property; (2) declaratory relief regarding unlawful detainer action; (3) turnover of real property; (4) disallowance of any claims of Deutsche Bank Trust Company Americas (5) violation of fair debt collection practices act
fr. 3/27/18

Docket 1

***** VACATED *** REASON: Cont'd from 5/22/18 to 5/29/18 at 1:00 p.m.
per stip & order entered on 4/13/18**

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 5/29/18 at 1:30 p.m. No appearances are required on 5/22/18.

Prior tentative ruling. The court has reviewed the joint status report in which the parties requested a continuance of the status conference because the pleadings are not yet at issue since not all defendants have responded to the complaint and plaintiff prefers that all parties tracking on the same trial timeline. The court on its own motion continues the status conference for about 60 days to 5/22/18 at 1:30 p.m. No appearances are required on 3/27/18. Plaintiff to give written notice of continuance.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Deutsche Bank Trust Company

Pro Se

Aztec Foreclosure Corporation

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

CONT... Grand View Financial LLC

Chapter 11

Amador Avenue Properties, LLC

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

2:17-24174 Capital Marketing Advisors, LLC

Chapter 7

Adv#: 2:18-01004 Global Capital Development, LLC v. Capital Marketing Advisors, LLC, a

#29.00 Cont'd status conference re: Complaint to determine nondischargeability of debt under 11 U.S.C. §523(a)(2)(A), §523(a)(2)(B), §523(a)(4) and §523(a)(6); breach of contract; breach of fiduciary duty; specific performance; embezzlement /constructive fraud fr. 3/20/18

Docket 1

***** VACATED *** REASON: Adversary proceeding dismissed per stip & order entered on 5/17/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. The status conference is moot because the adversary proceeding voluntarily dismissed without prejudice by stipulation and order. No appearances are required on 5/22/18.

Prior tentative ruling. Continued by stipulation and order to 5/22/18 at 1:30 p.m. Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Capital Marketing Advisors, LLC

Represented By
Robert J Spitz

Defendant(s):

Capital Marketing Advisors, LLC, a

Pro Se

Ernest R. Gonzales, an individual

Pro Se

Does 1 to 50, inclusive

Pro Se

Plaintiff(s):

Global Capital Development, LLC

Represented By
Mark E Saltzman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

CONT... Capital Marketing Advisors, LLC

Chapter 7

Trustee(s):

John J Menchaca (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar

Tuesday, May 22, 2018

Hearing Room 1675

1:30 PM

2:18-14139 Trang Ai Luu

Chapter 7

#30.00 Order to show cause hearing re debtor's failure to file a Certificate of Credit Counseling

Docket 6

*** VACATED *** REASON: Order withdrawing order to show cause entered on 5/16/18-mb.

Tentative Ruling:

Off calendar. Order to show cause hearing vacated by order entered on 5/16/18. No appearances are required on 5/22/18.

Party Information

Debtor(s):

Trang Ai Luu

Represented By
Thomas K Emmitt

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01144 Alde Financial Group, LLC v. Martinez

#31.00 Pretrial conference re: Complaint to determine dischargeability of debt
[11 U.S.C. §523(a)(2)(A)]
fr. 4/18/17, 9/26/17, 11/14/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. The court has reviewed the joint status report. Appearances are required on 11/14/17 to discuss the possibility of joint mediation, scheduling of further proceedings, including pretrial conference and trial, but counsel may appear by telephone. The consensus of the parties seems to be a discovery cutoff date of March 2018, i.e., March 31, 2018, a pretrial conference in April 2018, and a trial date in June 2018. The parties should be prepared to discuss how the case should be tried, given there are 6 sets of plaintiffs, and the length of trial, so that all parties have a full and fair opportunity to present their various cases. Perhaps it would be helpful to consider trying certain claims based on commonality of witnesses and facts, such as the particular type of investment vehicle involved. Defendant indicated an interest in mediation, but plaintiffs indicated no interest in mediation, and the court would like to hear from plaintiffs why mediation would not be helpful in resolving their claims, given that collectibility of defendant is probably an issue.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 9/1/17 and a further postdiscovery status conference for 9/26/17 at 1:30 p.m. with a joint status report due on 9/19/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 9/26/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Alde Financial Group, LLC

Represented By
Timothy J Silverman

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01146 Karen Baird v. Martinez

#32.00 Pretrial conference re: Complaint to determine dischargeability of debt
[11 U.S.C. §523(a)(2)(A)]
fr. 4/18/17, 9/26/17, 11/14/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 9/1/17 and a further postdiscovery status conference for 9/26/17 at 1:30 p.m. with a joint status report due on 9/19/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 9/26/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Karen Baird

Represented By
Timothy J Silverman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01147 Hinojos v. Martinez

#33.00 Pretrial conference re: Complaint to determine dischargeability of debt
fr. 4/18/17, 9/26/17, 11/14/17

Docket 1

***** VACATED *** REASON: Cont'd from 5/22/18 to 6/5/18 at 2:00 p.m.
per stip & order entered on 5/21/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Plaintiff(s):

Ezequiel Hinojos

Represented By
Thomas Spielbauer
Thomas Spielbauer

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01149 Van v. Martinez

#34.00 Pretrial conference re: Complaint for denial of discharge of debt
fr. 4/18/17, 9/26/17, 11/14/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the status reports filed by the parties. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Sandy Van

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01157 Wideload Investments, LLC et al v. Martinez

#35.00 Pretrial conference re: Complaint to determine dischargeability of debt
 [11 U.S.C. §523(a)(2)(A)]
 fr. 4/18/17, 9/26/17, 11/14/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Plaintiff(s):

Wideload Investments, LLC

Represented By
Ryan A. Ellis

Benjamin Rudnitsky

Represented By
Ryan A. Ellis

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01158 Carter et al v. Martinez

#36.00 Pretrial conference re: Complaint to except debt from discharge for willful and malicious injury and as money obtained under false pretenses; fraud [11 U.S.C. § 523 (a)2)(A) & (6)] fr. 4/18/17, 9/26/17, 11/14/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the unilateral status report filed by defendant. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Plaintiff(s):

Lance Carter

Represented By
Dana M Douglas

Jean Holmes

Represented By
Dana M Douglas

Carriage Estates LLC

Represented By
Dana M Douglas

Adamantine Investments LLC

Represented By
Dana M Douglas

Sterling Holdings LLC

Represented By
Dana M Douglas

Lance Carter IRA 419990

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:30 PM

2:16-10351 Donald Martinez

Chapter 7

#37.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[John J. Menchaca, Chapter 7 Trustee]

Docket 96

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 5/22/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Donald Martinez

Represented By
Edgar P Lombera

Trustee(s):

John J Menchaca (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:30 PM

2:16-10351 Donald Martinez

Chapter 7

#38.00 Hearing re: Application for fees and expenses
[Wesley H. Avery, Attorney for Chapter 7 Trustee]

Docket 92

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 5/22/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Donald Martinez

Represented By
Edgar P Lombera

Trustee(s):

John J Menchaca (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:30 PM

2:16-10351 Donald Martinez

Chapter 7

#39.00 Hearing re: Application for fees and expenses
[CBIZ Valuation Group, LLC., Financial Advisor for Chapter 7 Trustee]

Docket 91

Tentative Ruling:

Approve final fee application of financial advisor to trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 5/22/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Donald Martinez

Represented By
Edgar P Lombera

Trustee(s):

John J Menchaca (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:30 PM

2:16-10351 Donald Martinez

Chapter 7

#40.00 Hearing re: Application for fees and expenses
[Menchaca & Company LLP, Accountant for Chapter 7 Trustee]

Docket 94

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 5/22/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Donald Martinez

Represented By
Edgar P Lombera

Trustee(s):

John J Menchaca (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:30 PM

2:16-15814 James Steven Browning and Robin Michelle Browning

Chapter 7

#41.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Richard K. Diamond, Chapter 7 Trustee]

Docket 40

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 5/22/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

James Steven Browning

Represented By
Steven A Alpert

Joint Debtor(s):

Robin Michelle Browning

Represented By
Steven A Alpert

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:30 PM

2:17-15409 Francisco Perez

Chapter 7

#42.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Wesley Avery, Chapter 7 Trustee]

Docket 44

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 5/22/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Francisco Perez

Represented By
Leon D Bayer

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:30 PM

2:17-15409 Francisco Perez

Chapter 7

#43.00 Hearing re: Application for fees and expenses
[Timothy J. Yoo, Attorney for Chapter 7 Trustee]

Docket 42

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 5/22/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Francisco Perez

Represented By
Leon D Bayer

Movant(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:30 PM

2:17-15409 Francisco Perez

Chapter 7

#44.00 Hearing re: Application for fees and expenses
[Menchaca & Company LLP, Accountant for Chapter 7 Trustee]

Docket 41

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 5/22/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Francisco Perez

Represented By
Leon D Bayer

Movant(s):

Menchaca & Company LLP

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Timothy J Yoo
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

#45.00 Hearing re: Notice of listing of real property located at
4525-4527 Lincoln Way, San Francisco, CA 94122

Docket 209

Tentative Ruling:

No tentative ruling as of 5/21/18. Appearances are required on 5/22/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:30 PM

2:17-22722 Reyna Maria Taylor

Chapter 7

#46.00 Hearing re: Motion for order (1) under 11 U.S.C. §303(i)(1) for attorney fees and costs, and (2) under 11 U.S.C. §303(k) for prohibiting consumer reporting

Docket 54

Tentative Ruling:

Treat as a contested matter under FRBP 9014 since there are disputed issues of material fact regarding the reasonableness of the attorneys' fees and costs claimed by alleged debtor. The court will conduct the hearing as a status conference, and the parties should be prepared to discuss scheduling of pretrial and trial proceedings. Appearances are required on 5/22/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Reyna Maria Taylor

Represented By
Steven M Mayer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:30 PM

2:17-24993 Mary Katherine Cummins-Cobb

Chapter 7

Adv#: 2:18-01066 Khionidi v. Cummins-Cobb

#47.00 Hearing re: Motion for judgment on the fourth cause of action to determine non-dischargeability of debt pursuant to 11 U.S.C. 523(a)(6)

Docket 10

Tentative Ruling:

Deny plaintiff's motion for judgment on the pleadings because: (1) no proof of service on defendant (LBR 9013-1(a), FRBP 7005 and FRCP 5(b)(2) requires mail service on defendant - no proof of consent by defendant to electronic service); (2) no proof of standing to assert claim of Amanda Lollar - defendant denies that plaintiff is Lollar's assignee in her answer, which also precludes judgment on the pleadings; (3) no showing that plaintiff is entitled to judgment on the pleadings that the elements of collateral estoppel meet the standards of Texas law under which the state court judgment was entered and the judgment entitled to collateral estoppel effect under Texas law meets the federal standards for debt dischargeability claims under 11 U.S.C. 523(a)(6) under *In re Plyam*, 530 B.R. 456 (9th Cir. BAP 2015).

Although defendant filed a motion for continuance in order to have more time to respond to plaintiff's reply, the court is inclined to deny the motion for continuance because the court thinks plaintiff's motion needs to be substantially revised to address the court's concerns about the application of collateral estoppel here since plaintiff's analysis is conclusory and insufficient because there is no analysis of Texas law of collateral estoppel to show the collateral estoppel effect of the Texas judgment. The court is not so sure that the motion can be granted on its face because the opinion of the Texas Court of Appeals stated at page 20 of its memorandum opinion (attached as Exhibit 2 to Plaintiff's Complaint) that the standard of proof requires only at least negligence for defamation claims between private parties concerning private speech, which does not meet the willfulness standard of 11 U.S.C. 523(a)(6) as indicated in *In re Plyam*, supra, and at page 59 of its memorandum opinion that recovery of exemplary or punitive damages in Texas civil practice can be met by showing gross negligence which also does not meet the willfulness standard of 11 U.S.C. 523(a)(6) as indicated in *In re Plyam*, supra. Plaintiff

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:30 PM

CONT... **Mary Katherine Cummins-Cobb**

Chapter 7

will have to provide a complete analysis of the requirements of Texas law to prove a defamation claim and entitlement to exemplary damages and to establish the collateral estoppel effect of a judgment on a defamation claim and a claim for exemplary damages in order to show that these requirements satisfy the federal standards of debt dischargeability under 11 U.S.C. 523(a) (6). Denial of the motion will be without prejudice to allow plaintiff the opportunity to remedy these deficiencies. In resubmitting the motion, plaintiff should also submit a copy of the state court complaint which relates to the state court judgment so that the court can see what exactly were the claims upon which judgment was rendered. Plaintiff should also submit any express findings of fact made by the Texas trial court which were not attached to the complaint, which findings may show whether the standards of proof met in the state court case satisfy the federal standard of willfulness and malice under 11 U.S.C. 523(a)(6).

Appearances are required on 5/22/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Mary Katherine Cummins-Cobb Pro Se

Defendant(s):

Mary Katherine Cummins-Cobb Pro Se

Movant(s):

Konstantin Khionidi Represented By
Philip H Stillman

Plaintiff(s):

Konstantin Khionidi Represented By
Philip H Stillman

Trustee(s):

Peter J Mastan (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

2:30 PM

2:17-24993 Mary Katherine Cummins-Cobb

Chapter 7

Adv#: 2:18-01066 Khionidi v. Cummins-Cobb

#47.10 Cont'd status conference re: Complaint objecting to discharge pursuant to §727(a)(2)-(5) and to determine the nondischargeability of debt pursuant to §523(a)(6) fr. 5/15/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/7/18. Off calendar. Continued by prior order to 5/22/18 at 2:30 p.m. to be conducted with hearing on plaintiff's motion for judgment on the pleadings. No appearances are required on 5/15/18.

Party Information

Debtor(s):

Mary Katherine Cummins-Cobb Pro Se

Defendant(s):

Mary Katherine Cummins-Cobb Pro Se

Plaintiff(s):

Konstantin Khionidi Represented By
Philip H Stillman

Trustee(s):

Peter J Mastan (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 22, 2018

Hearing Room 1675

3:00 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01018 Grand View Financial, LLC v. Deutsche Bank Trust Company Americas, As

#48.00 Hearing re: Motion for judgment on the pleadings pursuant to Fed. R. Civ. P. 12(c), or, alternatively, motion for summary judgment pursuant to Fed. R. Civ. P. 56

Docket 19

***** VACATED *** REASON: Cont'd from 5/22/18 to 5/29/18 at 1:00 p.m.
per stip & order entered on 4/13/18- pp**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 5/29/18 at 1:00 p.m. No appearances are required on 5/22/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Deutsche Bank Trust Company

Represented By
Angie M Marth

Aztec Foreclosure Corporation

Represented By
Angie M Marth

Amador Avenue Properties, LLC

Represented By
David M Poitras
Richard D Marks

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of plan
fr. 9/13/17, 10/18/17, 2/14/18

Docket 123

Tentative Ruling:

Updated tentative ruling as of 5/21/18. No tentative ruling on the merits. Appearances are required on 5/23/18, but counsel may appear by telephone.

Updated tentative ruling as of 2/12/18. The court has reviewed debtor's status report. Debtor will need to address the notice of delinquency in filing United States Trustee reporting requirements filed on 1/2/18. Appearances are required on 2/13/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits. Appearances are required on 10/18/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/11/17. Appearances are required on 9/13/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/10/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Updated tentative ruling as of 10/17/16. The court has reviewed debtor's status report and declaration and exhibits attached thereto. No tentative

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Debtor to explain whether the checks attached to his declaration filed on 9/16/16 have brought the plan entirely current. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/7/16. Appearances are required on 3/9/16, but counsel may appear by telephone.

Prior tentative ruling as of 2/1/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 2/3/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 11/23/15. The court has reviewed debtor's post-confirmation status report. Appearances are required on 11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/25/15. Appearances are required on 8/26/15, but counsel may appear by telephone.

Prior tentative ruling as of 4/13/15. Off calendar. The court has reviewed debtor's post-confirmation status report and sets a further status conference on its own motion to 8/26/15 at 11:00 a.m. A further status report is due 8/21/15. No appearances are required on 4/15/15.

Prior tentative ruling as of 1/26/15. Off calendar. The court has reviewed debtor's post-confirmation status report and continues the status conference on its own motion to 4/15/15 at 11:00 a.m. A further status report is due 4/8/15. No appearances are required on 1/28/15.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

Prior tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 7/21/14. Appearances are required on 7/23/14, but counsel may appear by telephone.

Prior tentative ruling as of 7/8/14. No tentative ruling on the merits. Appearances are required on 7/9/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's post-confirmation status report and continues the status conference to 5/7/14 at 11:00 a.m. No appearances required on 11/6/13, but a further status report is due on 4/30/14.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E Mcgoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

11:00 AM

2:11-39746 Barbara Jo Baiz Rodriguez

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. 11/16/16, 5/10/17, 11/15/17

Docket 203

Tentative Ruling:

Updated tentative ruling as of 5/21/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/23/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/17. The court has reviewed debtor's status report. The court notes that the chart is missing the operative date for the amounts required to be paid, though the text of the report states that the date is the date of the report. Debtor needs to clarify the date for the amounts required to be paid. Otherwise, no tentative ruling on the merits. Debtor should also report on the rental situation, i.e., is the Burbank property rented out, and how much are her children paying on the Hacienda Heights property each. Appearances are required on 5/10/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Prior tentative ruling as of 11/14/16. The court has reviewed debtor's status report. Appearances are required on 11/16/16, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Prior tentative ruling as of 9/12/16. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/24/16 to discuss scheduling of further proceedings, but self-represented

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

11:00 AM

CONT... Barbara Jo Baiz Rodriguez

Chapter 11

debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits. Appearances are required on 7/27/16, but self-represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 6/13/16. Off calendar. The court has reviewed debtor's motion requesting an extension of time to file the post-confirmation status report, reporting that she was recently injured, and the court on its own motion continues the status conference to 7/27/16 at 11:00 a.m. with an updated status report due for filing on 7/20/16. No appearances are required on 6/15/16.

Prior tentative ruling as of 3/14/16. The court has reviewed debtor's status report. No tentative ruling. Appearances required on 3/16/16, but self-represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling. Appearances required on 9/16/15, but self-represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 3/3/15. The court has reviewed debtor's status report. No tentative ruling. Appearances required on 3/4/15, but self-represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 9/3/14. The court has reviewed the Debtor's status report filed 7/24/2014. No tentative ruling. Appearances required on 9/4/14.

Prior tentative ruling as of 3/17/14. The court has reviewed the United States Trustee (UST)'s report on discovery efforts and results and debtor's objection to the UST's request for further continuance. No tentative ruling on the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

11:00 AM

CONT... **Barbara Jo Baiz Rodriguez**

Chapter 11

merits. Appearances are required on 3/19/14.

Prior tentative ruling as of 2/10/14. No tentative ruling. Plan confirmation may be a contested matter under FRBP 9014 requiring an evidentiary hearing. Objecting parties United States Trustee and Deutsche Bank to show excuse for late filing of objections to plan. Debtor to address feasibility of plan, cramdown plan treatment of Deutsch Bank pursuant to its 11 U.S.C. 1111(b) election (i.e., proposed 23-year payout of secured claim may not be proper) and how Stonger vote and objection should be addressed (i.e., what authority exists to disregard Stonger vote or recognize inconsistent ballots, if they are indeed inconsistent rather than unintentionally mistaken.)). Appearances are required on 2/12/14.

Prior tentative ruling as of 12/2/13. At the last hearing on the disclosure statement, debtor indicated that she would submit financial projections as requested by the United States Trustee. Appearances are required on 12/4/13, but counsel may appear by telephone.

No tentative ruling as of 10/28/13. Appearances are required on 10/30/13. Debtor to address objections of United States Trustee and secured creditor Deutsche Bank. Although a confirmation matter, the court is not inclined to confirm a plan with a 36 year payout on the secured claim since no apparent justification is provided for the protracted payment and such appears to be discriminatory and unduly shifting the risk of lack of plan feasibility to that creditor. Appearances are required on 10/30/13.

Party Information

Debtor(s):

Barbara Jo Baiz Rodriguez

Represented By
Jerome S Cohen

Movant(s):

Barbara Jo Baiz Rodriguez

Represented By
Jerome S Cohen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#3.00 Hearing re: Motion for approval of second stipulation for use of cash collateral with Pacific City Bank

Docket 79

Tentative Ruling:

The approval of the second stipulation for use of cash collateral with Pacific City Bank should provide that any superpriority claim from a default be subordinated to Prime Business Credit, Inc., since Prime has the senior loan as for the prior stipulation for use of cash collateral for Pacific City Bank. Appearances are required on 5/23/18, but counsel may appear by telephone.

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#4.00 Hearing re: Application for payment of interim fees and/or expenses for Khang & Khang LLP, Debtor's Attorney, Period: 9/12/2017 to 4/30/2018, Fee: \$38,955, Expenses: \$2,812.70.

Docket 77

Tentative Ruling:

Deny interim fee application of general bankruptcy court for debtor in possession without prejudice: (1) the billing entries state that the client for which the services are rendered is Plain Leasing, Inc., not debtor; (2) there is no declaration from client attesting that client has reviewed application and has not objected, or from applicant describing the efforts to obtain client review and consent under LBR 2016-1(a)(1)(J). Appearances are required on 5/23/18, but counsel may appear by telephone.

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#5.00 Hearing re: Debtor's motion for order pursuant to stipulation requiring: (1) Cathay Bank to close attached pre-petition bank account and (2) debtor to transfer funds of the attached account to a segregated DIP account

Docket 60

Tentative Ruling:

Grant debtor's motion for order enforcing stipulation to close prepetition bank account and to transfer attached funds to a segregated debtor in possession bank account. Appearances are optional on 5/23/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#6.00 Hearing re: Application to employ the Law Offices of Philip Kaufler as debtor's state court and appellate court special litigation counsel

Docket 45

Tentative Ruling:

Approve application of debtor to employ special litigation counsel for the reasons stated in the application and the lack of timely written opposition (creditor Second Generation, Inc., filed a withdrawal of its opposition on 5/17/18). Appearances are optional on 5/23/18, but counsel may appear by telephone. Applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/11/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. No tentative ruling on the merits.
Appearances are required on 5/23/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. The
proposed claims bar date of 7/13/18 and proposed date for filing a disclosure
statement of 6/4/18 seem reasonable. Appearances are required on 4/11/18,
but counsel may appear by telephone.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#8.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/23/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

1:30 PM

2:17-17863 Sharon Kelly

Chapter 7

Adv#: 2:17-01415 Gross v. Kelly

#9.00 Cont'd hearing re: Motion for summary judgment, or alternatively for summary adjudication of the 1st and 2nd claims for relief

fr. 4/24/18

Docket 39

***** VACATED *** REASON: Cont'd from 5/23/18 to 5/30/18 at 1:30 p.m.
per order entered on 4/26/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Continued to 5/30/18 at 1:30 p.m. by prior order entered on 4/26/18. No appearances are required on 5/23/18.

Revised tentative ruling as of 4/23/18 at 5:30 p.m. Off calendar. The court is issuing a written order continuing the hearing on the motion to 5/23/18 at 1:30 p.m. The order requires the parties to redact personal identifier information in their papers as required by FRBP 7037 and LBR 7037-1. The parties improperly stated the names of minor children and other personal identifiers in their papers. The parties also cited to numerous unreported court decisions in their papers and failed to provide the court with unmarked, complete copies of these decisions as required by LBR 9013-2(c)(3)(D). No appearances are required on 4/24/18.

Party Information

Debtor(s):

Sharon Kelly

Represented By
Richard T Baum

Defendant(s):

Sharon Kelly

Represented By
Cassandra K. Riles

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

1:30 PM

CONT... Sharon Kelly

Chapter 7

Movant(s):

Mark P. Gross

Represented By
Gary A Starre

Plaintiff(s):

Mark P. Gross

Represented By
Gary A Starre

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

1:30 PM

2:13-14135 Art and Architecture Books of the 21st Century and 400 S.

Chapter 11

#10.00 Cont'd hearing re: Motion of plan agent to disqualify Brown Rudnick, LLP as counsel to 400 S. La Brea, LLC
fr. 5/2/18, 5/9/18

Docket 2320

***** VACATED *** REASON: Cont'd from 5/23/18 to 5/30/18 at 11:30 a.m.
per order entered on 5/16/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Continued to 5/30/18 at 11:30 a.m. by prior order entered on 5/16/18. No appearances are required on 5/23/18.

No tentative ruling as of 5/7/18. Appearances are required on 5/9/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

1:30 PM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11
Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#11.00 Cont'd hearing re: Motion of plan agent to sanction 400 S. La Brea, LLC, for violations of Fed. R. Bankr. P. 9011 fr. 5/2/18, 5/9/18

Docket 355

***** VACATED *** REASON: Cont'd from 5/23/18 to 5/30/18 at 11:30 a.m. per order entered on 5/16/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Continued to 5/30/18 at 11:30 a.m. by prior order entered on 5/16/18. No appearances are required on 5/23/18.

No tentative ruling as of 5/7/18. Appearances are required on 5/9/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Douglas Christmas

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 23, 2018

Hearing Room 1675

1:30 PM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Ace Gallery New York, Inc., a
Represented By
Alan W Forsley

ACE MUSEUM, a California
Represented By
Alan W Forsley

400 S La Brea, LLC a California
Represented By
Michael W Vivoli
Ashley M McDow
Michael T Delaney
Ronald Rus
Joel S. Miliband

Jennifer Kellen
Represented By
J. Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF
Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured
Represented By
David J Richardson
Victor A Sahn

Sam Leslie
Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, May 25, 2018

Hearing Room 1675

10:00 AM

2:17-23694 TERRY LC CHIN

Chapter 7

#1.00 EVIDENTIARY HEARING RE: Motion to dismiss case
fr. 3/20/18

Docket 16

*** VACATED *** REASON: Evidentiary hearing vacated per order
entered on 4/17/18-mb.

Tentative Ruling:

Updated tentative ruling as of 5/21/18. Off calendar. Hearing vacated by
prior order entered on 4/17/18. No appearances are required on 5/25/18.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set
an evidentiary hearing on the issues of good faith and abuse under 11 U.S.C.
707(b) because there are disputed and material issues of fact, although
creditor's showing is pretty weak. Appearances are required on 3/20/18 to
discuss scheduling, but counsel may appear by telephone.

Party Information

Debtor(s):

TERRY LC CHIN

Represented By
Michael Y Lo

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

10:30 AM

2:17-20037 Gary Gramajo

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Wells Fargo Bank, N.A. VS Debtor)

Docket 25

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Gary Gramajo

Represented By
Juan Castillo-Onofre

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

10:30 AM

2:18-11306 Salvador Alejandro

Chapter 7

#2.00 Cont'd hearing re: Motion for relief from stay
(Kinecta Federal Credit Union VS Debtor)
fr. 5/8/18

Docket 10

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Service of the motion is deficient since as indicated on the proof of service to the motion, there was no service on debtor required under LBR 4001-1(c)(1)(C)(i) which requires service not just on debtor's attorney, but debtor himself. Movant also failed to provide a judge's copy of the moving papers with separately tabbed exhibits as required by LBR 5005-2(d). Appearances are required on 5/8/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Salvador Alejandro

Represented By
Carlos A Delgado Ibarcena

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

10:30 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Project Eco VS Debtor)

Docket number: BC698984

Docket 115

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition.

No tentative ruling on request for stay annulment as movant has not shown that the legal standards of National Environmental Waste Corp. v. City of Riverside (In re National Environmental Waste Corp.), 129 F.3d 1052 (9th Cir. 1997) and In re Gasprom, Inc., 500 B.R. 598 (9th Cir. BAP 2013) have been met.

Appearances are required on 5/29/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Movant(s):

Project Eco

Represented By
Vivy Dang
William Ward

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

10:30 AM

CONT... Zero Energy Contracting, Inc

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

10:30 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Project Eco VS Debtor)

Docket number: 37-2018-00013876-CL-CO-NC

Docket 111

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition.

No tentative ruling on request for stay annulment as movant has not shown that the legal standards of National Environmental Waste Corp. v. City of Riverside (In re National Environmental Waste Corp.), 129 F.3d 1052 (9th Cir. 1997) and In re Gasprom, Inc., 500 B.R. 598 (9th Cir. BAP 2013) have been met.

Appearances are required on 5/29/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Movant(s):

Project Eco

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

10:30 AM

CONT... Zero Energy Contracting, Inc

Chapter 7

Vivy Dang
William Ward

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Holland Residential, LLC VS Debtor)

Docket 63

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

2:12-15652 Dale Alfred Williams

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/28/18, 3/28/18, 4/25/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 4/25/18 at 11:30 a.m. No appearances are required on 3/27/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 3/28/18 at 11:30 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/8/18. Off calendar. The court has reviewed

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 2/28/18 at 11:30 a.m. No appearances are required on 1/10/18.

Prior tentative ruling as of 9/11/17. Off calendar. In light of the pending motion of the United States Trustee to dismiss or convert now set for hearing on 10/25/17 at 11:30 a.m., the court on its own motion continues the status conference to 10/25/17 at 11:30 a.m. No appearances are required on 9/13/17.

Prior tentative ruling as of 4/3/17. Off calendar. In light of the pendency of the litigation proceedings involving debtor's objection to the tax claims, the court on its own motion continues the status conference to 9/13/17 at 11:00 a.m. No appearances are required on 4/5/17.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/15/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/16/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/9/15. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of litigation disputes of debtor's objection to the IRS claim and creditor Rory Williams's motion to file late-filed claim. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of debtor's objection to the IRS claim. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 8/25/14. Appearances are required on 8/27/14 to schedule a post-confirmation status conference, but counsel may appear by telephone.

Prior tentative ruling. The court continues on its own motion the status conference to 8/27/14 at 11:00 a.m. at which time the court will set a post-confirmation status conference in November 2014 since a post-confirmation status conference was not set at the confirmation hearing on 7/24/14. No appearances are required on 8/21/14

Party Information

Debtor(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

Movant(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

2:13-12977 Dowent Family LLC

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/17/18, 3/21/18, 4/25/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/19/18. Off calendar. The court continues the status conference on its own motion to 4/25/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/25/18. No appearances are required on 3/21/18.

Prior tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Prior tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Prior tentative ruling as of 1/23/17. Off calendar. The court continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 11/28/16. Off calendar. The court continues the status conference on its own motion to 1/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/25/17. No appearances are required on 11/30/16.

Prior tentative ruling as of 10/24/16. Off calendar. The court continues the status conference on its own motion to 11/29/16 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 11/29/16. No appearances are required on 10/26/16.

Prior tentative ruling as of 9/26/16. Off calendar. The court has reviewed debtor's status report and continues the status conference on its own motion to 10/26/16 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/26/16. No appearances are required on 9/27/16.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

Prior tentative ruling as of 7/25/16. Appearances are required on 7/27/16, but counsel may appear by telephone.

Updated tentative ruling as of 1/12/16. The court has reviewed debtor's status report. Appearances are required on 1/13/16, but counsel may appear by telephone.

No updated tentative ruling as of 9/8/15. Appearances are required on 9/9/15, but counsel may appear by telephone.

Prior tentative ruling as of 7/6/15. No tentative ruling on the merits. Appearances are required on 7/8/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/30/15. Appearances required on 3/31/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/30/15. Appearances required on 3/31/15, but counsel may appear by telephone.

Prior tentative ruling as of 9/29/14. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 10/1/14, but counsel may appear by telephone.

Updated tentative ruling as of 6/16/14. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 6/18/14, but counsel may appear by telephone.

Prior tentative ruling as of 2/17/14. No tentative ruling on the merits. Appearances are required on 2/19/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

Debtor(s):

Dowent Family LLC

Represented By
Todd C. Ringstad

Movant(s):

Dowent Family LLC

Represented By
Todd C. Ringstad

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

2:13-26021 L Scott Apparel Inc.

Chapter 11

#8.00 Cont'd status conference re: Post confirmation of plan
fr. 1/17/18, 3/21/18, 4/25/18

Docket 140

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/19/18. Off calendar. The court continues the status conference on its own motion to 4/25/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/25/18. No appearances are required on 3/21/18.

Prior tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Corrected tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Updated tentative ruling as of 1/23/17. Off calendar. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 10/17/16. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. In light of the current pending litigation, especially the Sharron adversary proceeding, it seems that a further status conference should be set in about 120 days. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 12/1/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 12/2/15, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

Prior tentative ruling as of 7/27/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 7/29/15 to discuss scheduling of further post-confirmation proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 3/9/15. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of claims as described in the status report. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/2/14. Appearances are required on 9/3/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 9/3/14 at 11:00 a.m. to allow the parties a limited opportunity to continue in plan modification negotiations. No appearances are required on 8/21/14.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

Movant(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#9.00 CONT'D TRIAL RE: Final application for approval of compensation and expense reimbursement of Baker & Hostetler LLP fr. 2/28/18, 3/28/18, 4/25/18

Docket 482

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. Updated tentative ruling as of 5/11/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Ashley McDow. Appearances are required on 5/12/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 5/1/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Marc Benezra. Appearances are required on 5/3/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#10.00 Cont'd hearing re: Motion for entry of order conditionally dismissing bankruptcy case
fr. 2/28/18, 3/28/18, 4/25/18

Docket 479

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the
hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are
required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the
hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are
required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the
hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are
required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the
hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are
required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the
hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its
review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the
hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. Appearances are required on 3/22/17.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. The court has concerns regarding the propriety of a "structured" dismissal (called "conditional" dismissal in the moving papers), i.e., whether the record is sufficient to warrant deviation from the normal procedures expressly provided in the Bankruptcy Code, i.e., a liquidating plan, case conversion or straight dismissal without conditions, or whether more broadly, whether structured dismissals are permitted at all, which may be at issue before the Supreme Court in *In re Jevic Holding Corp.*, 787 F.3d 173 (3rd Cir. 2015), cert. granted, *Czyzewski v. Jevic Holding Corp.* 136 S.Ct. 2541 (2016). See also, Transcript of Oral Argument, *Czyzewski v. Jevic Holding Corp.*, No. 15-649 (S.Ct., argued December 7, 2016); see also, e.g., Salerno, Hansen, Meyer, Schuster and Barsharis, *Advanced Chapter 11 Bankruptcy Practice*, Section 12.22 (2nd ed. online, 2016 Cum. Supp.); Greenberg, Smith and Taylor, "The Elephant Hiding in the Mousehole": *In re Jevic*, 2016 No. 10 Norton Bankr. L. Adviser NL 1 (online ed., October 2016); Pernick and Dean, "Structured Chapter 11 Dismissals: A Viable and Growing Alternative After Asset Sales,"

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

29 Am. Bankr. Inst. J. 1 (June 2010); Eitel, Tinker and Lambert, "Structured Dismissals, or Cases Dismissed Outside of Code's Structure?", 30 Am. Bankr. Inst. J. 20 (March 2011). Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#11.00 Cont'd hearing re: Motion for approval of chapter 11 disclosure statement
fr. 2/28/18, 3/28/18, 4/25/18

Docket 157

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the
hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are
required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the
hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are
required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the
hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are
required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the
hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are
required on 1/24/18.

Updated tentative ruling as of 12/18/17. Off calendar. The court continues
the hearing on its own motion to 1/24/18 at 11:00 a.m. No appearances are
required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the
hearing on its own motion to 12/20/17 at 11:00 a.m. No appearances are
required on 12/13/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Updated tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/15/14. Appearances are required on 4/16/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan. Debtor has indicated that it intends to revise the disclosure statement to address objections of United States Trustee.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

Movant(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#12.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/28/18, 3/28/18, 4/25/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the status conference on its own motion to 12/13/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 12/13/17. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court has reviewed debtor's status report. In that the court is still deliberating on the final fee application of general bankruptcy counsel for debtor, the court continues the status conference on its own motion to 10/25/17 at 1:30 p.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Updated tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC
telephone.

Chapter 11

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

Prior tentative ruling as of 1/25/16. The court has reviewed debtor's status report. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. No tentative ruling on the merits. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

No updated tentative ruling as of 4/15/14. Appearances are required on 4/16/14.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan.

Prior tentative ruling as of 3/10/14. No tentative ruling on the merits. Appearances are required on 3/12/14, but counsel may appear by telephone.

Updated tentative ruling as of 2/24/14. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/14. The court has reviewed debtor's status report and the comments of the secured creditor on status. No tentative ruling. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 11/19/13. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/13. No tentative ruling on the merits. Appearances are required on 10/9/13.

Updated tentative ruling as of 9/18/13. Off calendar. Continued at hearing on 9/17/13 to 10/9/13 at 11:30 a.m. No appearances required on 9/18/13.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/18/13, but counsel may appear by telephone.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

2:17-12087 Leala M. Simich

Chapter 7

#13.00 Cont'd hearing re: Motion for relief from stay
(U.S. Bank National Association VS Debtor)
fr. 11/28/17, 1/30/18, 3/27/18

Docket 10

Courtroom Deputy:

[Cont'd from 3/27/18 to 5/29/18 at 11:00 a.m. per stip & order entered on 3/26/18]

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. Off calendar. Continued by stipulation and order to 5/29/18 at 11:00 a.m. No appearances are required on 3/27/18.

Prior tentative ruling as of 11/27/17. Off calendar. Continued by stipulation and order to 1/30/18 at 10:30 a.m. No appearances are required on 11/28/17.

Prior tentative ruling. As indicated in debtor's response of non-opposition to the motion, It appears that the subject property is not property of the estate since there was a marital dissolution judgment in 2010 between debtor and her former spouse, which allocated the property to the former spouse as his separate property in the their division of marital property. Thus, the motion should be granted under 11 U.S.C. 362(d)(1) for cause since the property does not appear to be property of the estate. Appearances are required on 5/23/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Leala M. Simich

Represented By
Jennifer Ann Aragon

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

11:00 AM

CONT... Leala M. Simich

Chapter 7

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:00 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01018 Grand View Financial, LLC v. Deutsche Bank Trust Company Americas, As

#14.00 Cont'd hearing re: Motion for judgment on the pleadings pursuant to Fed. R. Civ. P. 12 (c), or, alternatively, motion for summary judgment pursuant to Fed. R. Civ. P. 56 fr. 5/22/18

Docket 19

***** VACATED *** REASON: Dismissed by stip & order entered on 5/8/18 -mb.**

Courtroom Deputy:

[Cont'd from 5/22/18 to 5/29/18 at 1:00 p.m. per stip & order entered on 4/13/18]

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by stipulation and order entered on 5/8/18. No appearances are necessary.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Deutsche Bank Trust Company

Represented By
Angie M Marth

Aztec Foreclosure Corporation

Represented By
Angie M Marth

Amador Avenue Properties, LLC

Represented By
David M Poitras
Richard D Marks

Plaintiff(s):

Grand View Financial, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:00 PM

CONT...

Grand View Financial LLC

Todd M Arnold

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:00 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01018 Grand View Financial, LLC v. Deutsche Bank Trust Company Americas, As

#15.00 Cont'd status conference re: Complaint for: (1) declaratory relief regarding alleged standing of certain defendants under note and deed of trust, purported foreclosure sale, purported trustee's deed upon sale, purported subsequent sale and grant deed, and title to real property; (2) declaratory relief regarding unlawful detainer action; (3) turnover of real property; (4) disallowance of any claims of Deutsche Bank Trust Company Americas (5) violation of fair debt collection practices act
fr. 3/27/18, 5/22/18

Docket 1

***** VACATED *** REASON: Dismissed by stip & order entered on 5/8/18
-mb.**

Courtroom Deputy:

[Cont'd from 5/22/18 to 5/29/18 at 1:00 p.m. per stip & order entered on 4/13/18]

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by stipulation and order entered on 5/8/18. No appearances are necessary.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Deutsche Bank Trust Company	Pro Se
Aztec Foreclosure Corporation	Pro Se
Amador Avenue Properties, LLC	Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:00 PM

CONT... Grand View Financial LLC

Chapter 11

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

2:12-35473 Amergence Technology Inc

Chapter 7

Adv#: 2:14-01500 Rund Chapter 7 Trustee v. Chen et al

#16.00 Cont'd status conference re: Complaint to: (1) Avoid and Recover Preferential Transfers; (2) Avoid and Recover Fraudulent Transfers; and for (3) Breach of Fiduciary Duty fr. 8/15/17, 10/17/17, 11/28/17

Docket 1

***** VACATED *** REASON: Matter taken off calendar, pretrial conference set on 11/27/18 at 2:00 p.m. per stip & order entered on 3/12/18-mb.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. Off calendar. Pretrial conference set for 11/27/18 at 2:00 p.m. by stipulation and order entered on 3/12/18. No appearances are required on 5/29/18.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. The court has reviewed the joint status report and intends to discuss scheduling of further proceedings in this adversary proceeding, specifically to discuss whether they can be coordinated with further proceedings in the related adversary proceedings involving debtor's attorneys and Microland. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 8/31/15 and set a post-discovery status conference for 9/29/15 at 1:30 p.m. The parties are ordered to conduct FRBP 7026 conference by 3/31/15. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 3/31/15 and to complete mediation by 9/29/15. Appearances are required on 2/3/15, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

CONT... Amergence Technology Inc

Chapter 7

Debtor(s):

Amergence Technology Inc

Represented By
Ron Bender
Mark H Mcguire
Irwin M Wittlin

Defendant(s):

Yian Chen

Pro Se

Shavonne Tran

Pro Se

Doron Stephen

Pro Se

DSI Computers, Inc., a California

Pro Se

Plaintiff(s):

Jason Rund Chapter 7 Trustee

Represented By
Corey R Weber

Trustee(s):

Jason M Rund (TR)

Represented By
Steven T Gubner
Corey R Weber
Michael W Davis

Jason M Rund (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

2:12-35473 Amergence Technology Inc

Chapter 7

Adv#: 2:14-01502 Rund, Chapter 7 Trustee v. Microland Electronics Corporation, a California

#17.00 Cont'd status conference re: Complaint to: 1. Avoid Preferential Transfers; 2. Avoid Fraudulent Transfers; 3. Recover Preferential and Fraudulent Transfers; 4. Aiding and Abetting Breach of Fiduciary Duty; 5. Intentional Interference with Prospective Economic Advantage; and 6. Negligent Interference with Prospective Economic Advantage [11 U.S.C. §§544, 547, 548(a)(1)(A) and (B), 550(a)(1) and (2) and California Civil Code §3439, et seq.]
fr. 10/17/17, 11/28/17, 4/17/18

Docket 1

Courtroom Deputy:

[PTC set on 11/27/18 at 2:00 p.m.]

Tentative Ruling:

Updated tentative ruling as of 5/25/18. Off calendar. The status conference set for 5/29/18 was rescheduled to 4/17/18, and thus, no status conference is now scheduled in this adversary proceeding for 5/29/18. No appearances are required on 5/29/18.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. The court has reviewed the joint status report and intends to discuss scheduling of further proceedings in this adversary proceeding, specifically to discuss whether they can be coordinated with further proceedings in the related adversary proceedings involving debtor's insiders and attorneys. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 4/11/17 to discuss scheduling of further proceedings, including possible

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

CONT... **Amurgence Technology Inc**

Chapter 7

coordination with litigation in Rund v. Lee adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 9/30/15 and set a post-discovery status conference for 10/27/15 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 3/31/15 and to complete mediation by 10/27/15. Appearances are required on 2/3/15, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Amurgence Technology Inc

Represented By
Ron Bender
Mark H Mcguire
Irwin M Wittlin

Defendant(s):

Microland Electronics Corporation,

Pro Se

Plaintiff(s):

Jason M. Rund, Chapter 7 Trustee

Represented By
Corey R Weber

Trustee(s):

Jason M Rund (TR)

Represented By
Steven T Gubner
Corey R Weber
Michael W Davis

Jason M Rund (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

2:12-35473 Amurgence Technology Inc

Chapter 7

Adv#: 2:15-01563 Rund, Chapter 7 Trustee v. Lee, an individual et al

#18.00 Cont'd status conference re: Complaint for: (1) malpractice; (2) aiding and abetting breach of fiduciary duty; and (3) breach of fiduciary duty fr. 11/28/17, 1/23/18, 4/17/18

Docket 1

Courtroom Deputy:

[PTC set on 11/27/18 at 2:00 p.m.]

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. No tentative ruling on the merits. The court has reviewed the joint status report and intends to discuss scheduling of further proceedings in this adversary proceeding in light of substitution of counsel for defendants. Appearances are required on 1/23/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. The court has reviewed the joint status report and intends to discuss scheduling of further proceedings in this adversary proceeding, specifically to discuss whether they can be coordinated with further proceedings in the related adversary proceedings involving debtor's insiders and Microland and the scheduling of defendants' motion for summary judgment. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

CONT... Amurgence Technology Inc

Chapter 7

4/11/17 to discuss scheduling of further proceedings, including possible coordination with litigation in Rund v. Microland adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 1/10/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/6/16 to discuss scheduling of further proceedings, including filing of supplemental pleadings, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits. Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. The court has reviewed the joint status report, noting the hearings on the pending motions to dismiss the first amended complaint on 7/26/16 at 3:00 p.m., and continues the status conference to the date and time of the hearings on the motions to dismiss the first amended complaint on 7/26/16 at 3:00 p.m. No appearances are required on 7/19/16

Prior tentative ruling as of 4/11/16. No tentative ruling on the merits. Appearances are required on 4/12/16.

Prior tentative ruling as of 4/4/16 at 5:30 p.m. Off calendar. Continued on the court's own motion to 4/12/16 at 2:30 p.m. since the hearing on the motion to dismiss is continued to that date and time. No appearances are required on 4/5/16.

Prior tentative ruling as of 3/7/16. ff calendar. Continued by separate order on the court's own motion for further briefing to 4/5/16 at 3:00 p.m. No appearances are required on 3/8/16.

Prior tentative ruling. In light of defendants' pending motion to dismiss or for

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

CONT... **Amergence Technology Inc** **Chapter 7**

more definite statement noticed for hearing on 3/8/16 at 3:00 p.m., the court continues the status conference to that date and time on its own motion since the determination of that motion may affect the status of the adversary proceeding. No appearances are required on 2/9/16.

Party Information

Debtor(s):

Amergence Technology Inc

Represented By
Ron Bender
Mark H Mcguire
Irwin M Wittlin

Defendant(s):

Albert Lee, an individual

Pro Se

Business Legal Partners Attorneys

Pro Se

DOES 1 through 10

Pro Se

Plaintiff(s):

Jason M. Rund, Chapter 7 Trustee

Represented By
Corey R Weber

Trustee(s):

Jason M Rund (TR)

Represented By
Steven T Gubner
Corey R Weber
Michael W Davis

Jason M Rund (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01113 Diamond, Chapter 7 Trustee, Plaintiff v. Premier Rehabilitation Services, a

#19.00 Cont'd status conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 11/7/17, 2/6/18, 4/24/18

Docket 1

Courtroom Deputy:

[Cont'd from 4/24/18 to 5/29/18 at 1:30 p.m. per stip & order entered on 3/28/18]

Tentative Ruling:

Updated tentative ruling as of 5/25/18. The court has reviewed the joint status report. Set a discovery cutoff date of 8/30/18, a pretrial conference for 10/23/18 at 2:00 p.m. and a deadline for filing a joint pretrial stipulation on 10/16/18. In the joint pretrial stipulation, the parties will need to address handling a bifurcated trial between claims to be tried before a jury in the district court and claims to be tried by the court in this court. Once the court approves the joint pretrial stipulation, the court will set a date for the court trial of the claims to be tried by this court and will make a referral of the jury triable claims to the district court. Appearances are required on 5/29/18 to discuss scheduling of further proceedings.

Prior tentative ruling as of 2/5/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 2/6/18 to discuss scheduling of further proceedings, including timing of amendment of pleadings, the proposed extended discovery cutoff date and the setting of a pretrial conference, but counsel may appear by telephone. Defendants have demanded a jury trial, but the court will defer referral of the jury triable claims to the district court for jury trial until the pretrial conference which this court will conduct (unless defendant successfully moves the district court to withdraw the reference). Plaintiff's potential postpetition transfer claims are core claims within this court's jurisdiction and do not appear to be jury triable.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Prior tentative ruling as of 11/6/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 11/7/17 to discuss scheduling of further proceedings, including mediation completion, extended discovery cutoff date and trial, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. The court has reviewed the joint status report. No tentative ruling on the merits, but grant joint request to extend the discovery cutoff date to 9/30/17. Appearances are required on 8/29/17 to discuss scheduling of a pretrial conference and the second mediation, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/23/17 to discuss scheduling of further proceedings, including extension of discovery cutoff date to 6/30/17 and setting a date for a pretrial conference, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 3/21/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 9/30/16 and to complete mediation by 1/17/17. Appearances are required on 5/3/16, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Defendant(s):

Premier Rehabilitation Services, a Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7 Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR) Pro Se
Richard K Diamond (TR) Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

2:15-11554 Velocity Regional Center, LLC

Chapter 7

Adv#: 2:17-01128 Leslie v. Edward C. Lee, CPA

#20.00 Cont'd status conference re: Complaint for: (1) avoidance of voidable transfers; and (2) recovery of avoided transfers [11 U.S.C. §§ 544 and 550] fr. 1/9/18, 2/20/18, 4/17/18

Docket 1

***** VACATED *** REASON: Cont'd from 5/29/18 to 7/17/18 at 1:30 p.m. per stip & order entered on 5/25/18-mb.**

Courtroom Deputy:

[Cont'd from 5/29/18 to 7/17/18 at 1:30 p.m. per stip & order entered on 5/25/18]

Tentative Ruling:

Revised tentative ruling as of 5/25/18. Off calendar. Continued by stipulation and order to 7/17/18 at 1:30 p.m. No appearances are required on 5/29/18.

Prior tentative ruling as of 4/16/18. Off calendar. Continued by stipulation and order to 5/29/18 at 1:30 p.m. No appearances are required on 4/17/18.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits. Appearances are required on 2/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. Off calendar. Continued by stipulation and order to 2/20/18 at 1:30 p.m. No appearances are required on 1/9/18.

Prior tentative ruling as of 10/16/17. Off calendar. Continued by stipulation and order to 1/9/18 at 1:30 p.m. No appearances are required on 10/17/17.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

CONT... Velocity Regional Center, LLC

Chapter 7

stating that the matter is in the process of being resolved and continues the status conference on its own motion to 6/27/17 at 1:30 p.m. Plaintiff to notify defendant of the continuance. No appearances are required on 4/4/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Velocity Regional Center, LLC

Represented By
Stephen B Mashney
Jerome D Stark

Defendant(s):

Edward C. Lee, CPA

Pro Se

Plaintiff(s):

Sam Leslie

Represented By
Carmela Pagay

Trustee(s):

Sam S Leslie (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

2:17-14783 Michael Merritt Pistello

Chapter 7

Adv#: 2:17-01320 Pistello v. ACS Education Services, Inc.

#21.00 Cont'd status conference re: Complaint to determine dischargeability of debt
fr. 10/10/17, 12/12/17, 4/24/18

Docket 1

***** VACATED *** REASON: Stipulated judgment entered on 5/1/18-mb.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 4/23/18. Off calendar. The court has reviewed the joint status report stating that the matter is being settled and requesting a 4-week continuance of the status conference to document the settlement. The court on its own motion continues the status conference to 5/29/18 at 1:30 p.m. No appearances are required on 4/24/18. Counsel for defendant to give notice to plaintiff.

tentative ruling as of 12/11/17. The court has reviewed the joint status report. Set a discovery cutoff date of 3/31/18 and a further postdiscovery status conference for 4/24/18 at 1:30 p.m. with a joint status report due on 4/17/18. Order the matter to mediation under the court's mediation program, the parties are to file a request for selection of mediator and alternate mediator by 1/31/18 and complete mediation by 4/24/18. Appearances are required on 12/12/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/10/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Michael Merritt Pistello

Represented By
Mark J Markus

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

CONT... Michael Merritt Pistello

Chapter 7

Defendant(s):

ACS Education Services, Inc. Pro Se

Plaintiff(s):

Michael Merritt Pistello Pro Se

Trustee(s):

Edward M Wolkowitz (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

2:17-21936 Samuel Chea

Chapter 7

Adv#: 2:17-01585 Wolkowitz v. Lim et al

#22.00 Cont'd status conference re: Complaint for: (1) Avoidance of voidable transfer;
(2) Recovery of avoided transfer; and (3) Turnover of property
[11 U.S.C. §§542, 544, 548 and 550]
fr. 2/20/18, 3/27/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. Off calendar. In light of the pending stipulation of the parties for dismissal of the adversary proceeding, awaiting the time for objection to dismissal of the claims to deny discharge of debtor pursuant to FRBP 7041 and LBR 9013-1(o), the court on its own motion continues the status conference for about 60 days to 8/1/18 at 1:30 p.m. No appearances are required on 5/29/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court has reviewed the joint status report in which the parties requested a continuance of the status conference to allow an opportunity to first discuss settlement before setting a pretrial schedule. The court on its own motion continues the status conference for about 60 days to 5/29/18 at 1:30 p.m. No appearances are required on 3/27/18.

Prior tentative ruling. The court has reviewed the joint status report indicating that counsel has recently been retained by defendant and that the parties have not had their LBR 7026-1 initial meeting. The court on its own motion continues the status conference to 3/27/18 at 1:30 p.m. Trustee to give email or telephonic notice to counsel for defendant of the continuance of the status conference. No appearances are required on 2/20/18.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

CONT... Samuel Chea

Chapter 7

Debtor(s):

Samuel Chea

Represented By
Anthony E Contreras

Defendant(s):

Annie Lim

Pro Se

Tony C. Sok

Pro Se

Samuel Chea

Pro Se

Plaintiff(s):

Edward M Wolkowitz

Represented By
Carmela Pagay

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

1:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#22.10 Hearing re: Emergency motion for turnover of property of the estate and books and records relating to property of the estate (from Jonathan Mover and Genoveva Winsen)

Docket 430

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:00 PM

2:13-37216 Albert Talassazan

Chapter 7

#23.00 Status conference re: Motion for order disallowing claim no. 10-1 (Abraham Talassazan) fr. 10/3/17, 11/7/17, 3/27/18

Docket 133

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. This contested matter of trustee's motion to disallow creditor's claim appears to have been resolved by the settlement approved by order entered on 4/18/18 and thus the status conference is moot due to the settlement. The court will assume that the matter is resolved by settlement and the status conference is moot if no appearance is made at the hearing. Appearances are optional on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. Appearances are required on 3/27/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set a schedule of pretrial and trial proceedings. The court will treat the hearing as a status conference. Parties should attempt to consult regarding their pretrial needs, such as discovery, and suggest a proposed schedule to the court at the hearing.

To the extent that the trustee contends that the claim lacks documentation, that objection may not be valid because it is not necessarily based on a writing since it seems that creditor lent money to debtor without a writing, such as a promissory note, but the record is unclear. An objection to claim based on lack of documentation if the claim is not based on a writing is not well-taken. See *In re Los Angeles International Airport Associates*, 106 F.3d 1479 (9th Cir. 1997). It seems that the trustee's objection goes to the substance as opposed to just the lack of documentation since trustee relies upon debtor's schedules listing the debt at \$400,000. Given the deficiencies

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:00 PM

CONT...

Albert Talassazan

Chapter 7

in pleading on both sides, the court believes that the parties should be given the benefit of a doubt and be allowed to present evidence in support of their respective positions for and against the claim and litigate the contested matter of the trustee's objection to creditor's claim in accordance with the usual burdens of proof associated with claims litigation as the Bankruptcy Appellate Panel of the Ninth Circuit stated in *In re Campbell*, 336 B.R. 430 (9th Cir. BAP 2005). Appearances are required on 11/7/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Albert Talassazan

Represented By
Kenderton S Lynch

Trustee(s):

Peter J Mastan (TR)

Represented By
Reem J Bello
Jeffrey I Golden
Christopher J Green

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:07-21303 David Paul Passarello

Chapter 7

#24.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Elissa Miller, Chapter 7 Trustee]

Docket 114

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 5/29/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

David Paul Passarello

Represented By
John H Kim
Cameron Sanchez

Trustee(s):

Elissa Miller (TR)

Represented By
Larry D Simons
Daniel A Lev
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:07-21303 David Paul Passarello

Chapter 7

#25.00 Hearing re: Application for fees and expenses
[SulmeyerKupetz, Attorney for Chapter 7 Trustee]

Docket 113

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 5/29/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

David Paul Passarello

Represented By
John H Kim
Cameron Sanchez

Trustee(s):

Elissa Miller (TR)

Represented By
Larry D Simons
Daniel A Lev
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:07-21303 David Paul Passarello

Chapter 7

#26.00 Hearing re: Application for fees and expenses
[Grobstein Teeple, LLP, Accountant for Chapter 7 Trustee]

Docket 112

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 5/29/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

David Paul Passarello

Represented By
John H Kim
Cameron Sanchez

Trustee(s):

Elissa Miller (TR)

Represented By
Larry D Simons
Daniel A Lev
Jessica Vogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

#27.00 Hearing re: Second interim application for fees and reimbursement of costs of Dumas & Kim, APC., counsel for trustee

Docket 459

***** VACATED *** REASON: Cont'd from 5/29/18 to 7/31/18 at 2:30 p.m.
per order entered on 5/24/18-mb.**

Courtroom Deputy:

[Cont'd from 5/29/18 to 7/31/18 at 2:30 p.m. per order entered on 5/24/18]

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kathleen Kellogg-Taxe

Represented By
Miri Kim Wakuta
Gregory M Salvato

Trustee(s):

Carolyn A Dye (TR)

Represented By
Carolyn A Dye (TR)
James A Dumas Jr
Miri Kim Wakuta
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:13-28484 Pasadena Adult Residential Care, Inc

Chapter 7

#28.00 Hearing re: Trustee's motion for authority to execute amended sale documents to allow California Department of Social Services to approve transfer of operating licenses of debtors pursuant to order approving sale entered January 19, 2016

Docket 705

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

It appears that the trustee is requesting authorization to execute the first amendments to management and operations transfer agreements to consummate the sale of debtors' assets and operations under the sale agreement to conform to the agreement between the buyer and California Department of Social Services, and not the lease agreements between the buyer through its landholding entities and its designated operating entities. It would be helpful to the court that trustee clarify these details. Otherwise, it appears that the motion should be granted for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 5/29/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Pasadena Adult Residential Care, Inc

Represented By
Hamid R Rafatjoo
Joyce H Vega

Trustee(s):

Peter J Mastan (TR)

Represented By
Dawn A Messick
Christopher Celentino

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:13-28484 Pasadena Adult Residential Care, Inc

Chapter 7

#29.00 Cont'd status conference re: New operator license
fr. 10/25/17, 1/17/18, 5/2/18

Docket 656

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. No tentative ruling on the merits.
Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits.
Appearances are required on 10/25/17, but counsel may appear by
telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits.
Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/17. No tentative ruling on the merits.
Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits.
Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed trustee's status report. No

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

CONT... Pasadena Adult Residential Care, Inc Chapter 7
tentative ruling on the merits. Appearances are required on 1/11/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

Pasadena Adult Residential Care, Inc

Represented By
Hamid R Rafatjoo
Joyce H Vega

Trustee(s):

Peter J Mastan (TR)

Represented By
Dawn A Messick
Christopher Celentino
Ballard Spahr LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#30.00 Cont'd hearing re: Motion to dismiss
fr. 1/31/17, 6/13/17, 11/14/17, 5/15/18

Docket 23

Courtroom Deputy:

[Cont'd from 5/15/18 to 5/29/18 at 2:30 p.m. per order entered on 5/7/18]

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. Off calendar. Continued by prior order to
5/29/18 at 2:30 p.m. to be conducted with hearing on plaintiff's motion to
substitute party. No appearances are required on 5/15/18.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits.
Appearances are required on 11/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 6/12/17. No tentative ruling on the merits.
Appearances are required on 6/13/17, but counsel may appear by telephone.

Updated tentative ruling as of 1/30/17. The parties should appear
telephonically to discuss the impact of the pending related state court action
on this adversary proceeding, that is, whether the proceedings in this matter
should be stayed pending the resolution of plaintiff's claims in state court.
Appearances are required on 1/31/17, but counsel and plaintiff representing
himself may appear by telephone.

Prior tentative ruling as of 10/3/16. Since plaintiff is pursuing liquidation of his
substantive claims in state court litigation and the court would stay the
proceedings in this court until the state court litigation is completed, the court

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

CONT...

Gary Moll

Chapter 7

would deny the motion without prejudice. Appearances are required on 10/4/16, but counsel and self-represented parties may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits. Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the state court's order for dismissal without prejudice of the malpractice action in that court. It appears that the court should refer the case to the United States District Court because of the claim for personal injury damages must be determined by that court, which claim is intertwined with the dischargeability action. Alternatively, the court could abstain, allow plaintiff to refile the malpractice action in state court and not refer the case to the District Court. Appearances are required on 9/13/16, but the parties may appear by telephone.

Prior tentative ruling as of 8/22/16. No tentative ruling on the merits. The parties should address the court's request for clarification of dismissal order for the state court malpractice case and possible referral of case to the United States District Court because of the claim for personal injury damages. Appearances are required on 8/23/16, but counsel may appear by telephone.

No tentative ruling as of 8/8/16. Appearances are required on 8/9/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Gary Moll

Represented By
Ilyse Klavir
Gary E Moll

Defendant(s):

Gary E Moll

Represented By
Ilyse Klavir
Gary E Moll

Gary E Moll and Associates

Represented By
Ilyse Klavir

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

CONT... Gary Moll

Chapter 7

Gary E Moll

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#31.00 Cont'd hearing re: Motion to substitute Lisa Moll-Watson for deceased defendant Gary E. Moll, as executor of the estate of Gary E. Moll, in this proceeding fr. 3/27/18

Docket 57

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. This motion appears to be superseded by a new motion on calendar as matter number 33. Appearances are required on matter number 33.

Prior tentative ruling. No tentative ruling on the merits. It appears that the motion to substitute is timely filed within 90 days of suggestion of death by counsel for defendant under FRCP 25 (assuming for the sake of argument that counsel may properly suggest death of her client on the record, see *In re Cardoza*, 111 B.R. 906, 909 (Bankr. S.D. Cal. 1990)). However, plaintiff has not substantiated that Lisa Moll-Watson is the proper party defendant as the executor of defendant's estate. The court requires that plaintiff submit proof that she is now the representative of defendant's decedent estate. Moreover, plaintiff has not properly served Ms. Moll-Watson since the address listed for her on the proof of service of the motion is the funeral home and not her address as listed on defendant's death certificate. Appearances are required on 3/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted on the court's website.

Party Information

Debtor(s):

Gary Moll

Represented By

Ilyse Klavir

Gary E Moll - INACTIVE -

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

CONT... Gary Moll

Chapter 7

Defendant(s):

Gary E Moll

Represented By
Ilyse Klavir
Gary E Moll - INACTIVE -

Gary E Moll and Associates

Represented By
Ilyse Klavir
Gary E Moll - INACTIVE -

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#32.00 Hearing re: Motion to sanction Ilyse Klavir pursuant to FRBP 9011 & 28 U.S.C. §1927

Docket 78

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

No tentative ruling as of 5/25/18. Appearances are required on 5/29/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Gary Moll

Represented By

Ilyse Klavir

Gary E Moll - INACTIVE -

Defendant(s):

Gary E Moll

Represented By

Gary E Moll - INACTIVE -

Gary E Moll and Associates

Represented By

Gary E Moll - INACTIVE -

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#33.00 Hearing re: Motion to substitute Lisa Moll as executor for deceased defendant Gary E. Moll in this proceeding

Docket 72

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Grant motion to substitute personal representative for deceased defendant for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 5/29/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Gary Moll

Represented By

Ilyse Klavir

Gary E Moll - INACTIVE -

Defendant(s):

Gary E Moll

Represented By

Ilyse Klavir

Gary E Moll - INACTIVE -

Gary E Moll and Associates

Represented By

Ilyse Klavir

Gary E Moll - INACTIVE -

Plaintiff(s):

Gary Salzman

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

CONT... Gary Moll

Chapter 7

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#34.00 Cont'd status conference re: Complaint for dischargeability 11 U.S.C. §523(a)(2), false pretenses, false representation, actual fraud and dischargeability; 11 U.S.C. §523(a)(6), willful and malicious injury; verification fr. 1/31/17, 6/13/17, 11/14/17, 5/15/18

Docket 1

Courtroom Deputy:

[Cont'd from 5/15/18 to 5/29/18 at 2:30 p.m. per order entered on 5/7/18]

[Note: Debtor/defendant, Gary Moll's death certificate filed on 12/5/17]

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/7/18. Off calendar. Continued by prior order to 5/29/18 at 2:30 p.m. to be conducted with hearing on plaintiff's motion to substitute party. No appearances are required on 5/15/18.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/30/17. The parties should appear telephonically to discuss the impact of the pending related state court action on this adversary proceeding, that is, whether the proceedings in this matter should be stayed pending the resolution of plaintiff's claims in state court. Appearances are required on 1/31/17, but counsel and plaintiff representing himself may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

CONT...

Gary Moll

Chapter 7

Prior tentative ruling as of 10/3/16. Since plaintiff is pursuing liquidation of his substantive claims in state court litigation, and the court would stay the proceedings in this court until the state court litigation is completed. Appearances are required on 10/4/16, but counsel and self-represented parties may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits. Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the state court's order for dismissal without prejudice of the malpractice action in that court. It appears that the court should refer the case to the United States District Court because of the claim for personal injury damages must be determined by that court, which claim is intertwined with the dischargeability action. Alternatively, the court could abstain, allow plaintiff to refile the malpractice action in state court and not refer the case to the District Court. Appearances are required on 9/13/16, but the parties may appear by telephone.

Prior tentative ruling as of 8/22/16. No tentative ruling on the merits. The parties should address the court's request for clarification of dismissal order for the state court malpractice case and possible referral of case to the United States District Court because of the claim for personal injury damages. Appearances are required on 8/23/16, but counsel may appear by telephone.

Prior tentative ruling as of 8/8/16. No tentative ruling on the merits. Appearances are required on 8/9/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. Off calendar. The court noting that defendant has noticed a hearing on his motion to dismiss the first amended complaint on 8/9/16 at 3:30 p.m., the court continues on its own motion the status conference on 7/19/16 at 1:30 p.m. to the date and time of the hearing on defendant's motion to dismiss the first amended complaint on 8/9/16 at 3:30 p.m. No appearances are required on 7/19/16.

Prior tentative ruling. The status conference will be heard at 3:00 p.m. with the hearing on defendant's motion to dismiss. Appearances are required on 3:00 p.m. calendar, not the 1:30 p.m. calendar. No tentative ruling on the merits for the status conference.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

CONT... Gary Moll

Chapter 7

Party Information

Debtor(s):

Gary Moll

Represented By
Ilyse Klavir

Defendant(s):

Gary E Moll

Represented By
Ilyse Klavir

Gary E Moll and Associates

Represented By
Ilyse Klavir

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

Howard M Ehrenberg (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

#35.00 Hearing re: Motion for order authorizing abandonment

Docket 81

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Treat as a contested matter under FRBP 9014 since there are disputed issues of material fact regarding the reasonableness of the trustee's exercise of business judgment to abandon all assets of the estate to the debtor. The court will conduct the hearing as a status conference, and the parties should be prepared to discuss scheduling of pretrial and trial proceedings, including what evidence or discovery they will need for trial. As a suggestion in response to the trustee's reply to the opposition of the two objecting creditors, the court would consider a continuance of the hearing to allow the objecting creditors and their counsel to meet and confer with the trustee to hear in detail why the trustee believes that the assets should be abandoned. Appearances are required on 5/29/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Andrew Edward Smyth

Trustee(s):

Wesley H Avery (TR)

Represented By
Alan I Nahmias
Stephen F Biegenzahn

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:16-25337 Young Bin Lee

Chapter 7

#36.00 Hearing re: First application for approval of fees and reimbursement of expenses by Shulman Hodges & Bastian LLP, attorneys for the chapter 7 trustee

Docket 46

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Approve interim fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 5/29/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Young Bin Lee

Represented By
William J Smyth

Trustee(s):

Carolyn A Dye (TR)

Represented By
Brandon J Iskander
Leonard M Shulman
Lynda T Bui

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

#37.00 Hearing re: Trustee's motion for order approving agreement and authorizing the sale of real property located at 8361 Florence Avenue, Downey, California (A) outside the ordinary course of business; (B) free and clear of liens, claims, and encumbrances; (C) subject to overbids; and (D) for determination of good faith purchaser under 11 U.S.C. §363(M)

Docket 132

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Grant trustee's motion for order approving agreement and authorizing sale of real property free and clear of liens, claims and encumbrances for the reasons stated in the moving papers and for lack of timely written opposition. As provided in the order on a similar prior motion, the existing liens, including disputed liens, will attach to the net sales proceeds. No tentative ruling regarding determination of good faith purchaser since there may be overbidding. Appearances are required on 5/29/18.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh
Michael Jay Berger

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:17-24330 Jung Ja Kim

Chapter 7

#38.00 Cont'd hearing re: Application to of chapter 7 trustee to employ Neiman Realty, Inc. as real estate broker and to enter into exclusive listing agreement fr. 2/27/18, 3/27/18

Docket 18

***** VACATED *** REASON: Voluntary dismissal filed on 5/24/18-mb.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. The application for employment of the real estate broker appears to be moot due to the settlement between trustee and debtor, obviating the estate's need to employ a broker. The court will assume that the application is moot and deny it as moot if no appearance is made at the hearing. Appearances are optional on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits. The court is inclined to give debtor a short period of time to discuss possible settlement with trustee before ruling on the application in light of denial of motion to convert. Appearances are required on 3/27/18, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. The court is inclined to trail the hearing on the employment application of the broker until the hearing on debtor's motion to convert, which has not been set yet by debtor in response to trustee's opposition to that motion. Appearances are required on 2/27/18 to discuss scheduling of the hearing on the motion to convert and the employment application, but counsel may appear by telephone. If debtor does not promptly notice the motion to convert for hearing, the court would proceed to rule on the employment application.

Party Information

Debtor(s):

Jung Ja Kim

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

CONT... Jung Ja Kim

Donald E Iwuchuku

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, May 29, 2018

Hearing Room 1675

2:30 PM

2:18-11254 Jeannette A Cernas

Chapter 7

#39.00 Hearing re: Motion under 11 U.S.C. §110 for fines against bankruptcy petition preparer Maria Sepulveda

Docket 10

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Treat as a contested matter under FRBP 9014 since there are disputed issues of material fact regarding whether the filing of the incorrect document was due to inadvertent computer error for which a fine should not be imposed or should be substantially reduced. The parties should be prepared to discuss scheduling of an evidentiary hearing, which will be probably short and can be scheduled relatively soon. Appearances are required on 5/29/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Jeannette A Cernas Pro Se

Trustee(s):

John J Menchaca (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

10:00 AM

2:13-35116 Minon Miller

Chapter 7

#1.00 Cont'd hearing re: Motion for sanctions by creditor Edward Gilliam pursuant to 11 U.S.C. § 105 and Rule 9011 of the Federal Rules of Bankruptcy Procedure fr. 5/9/17, 11/14/17, 5/8/18

Docket 162

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/30/18.

Prior tentative ruling as of 5/7/18. Off calendar. The hearing is continued to 5/30/18 at 10:00 a.m. by prior order of the court. No appearances are required on 5/8/18.

Updated tentative ruling as of 11/13/17. Off calendar. Since the proceedings on debtor's appeal before the Ninth Circuit Court of Appeals are still pending, the court is issuing an order continuing the hearing in this matter for about 6 months to 5/8/18 at 2:00 p.m. No appearances are required on 11/13/17.

Prior tentative ruling as of 5/8/17. Off calendar. Since the proceedings on debtor's appeal before the Ninth Circuit Court of Appeals are still pending, the court is issuing an order continuing the hearing in this matter for about 6 months to 11/14/17 at 2:00 p.m. No appearances are required on 5/9/17.

Prior tentative ruling as of 12/12/16. Appearances are required on 12/13/16 to discuss the status of debtor's appeal of the order dismissing the bankruptcy case to the United States Court of Appeals for the Ninth Circuit, but counsel and defendant who is self-represented may appear by telephone in accordance with the court's telephone appearance procedures (which may be viewed online on the court's website).

Prior tentative ruling as of 6/6/16. Appearances are required on 6/7/16 to discuss the status of debtor's appeal of the order dismissing the bankruptcy case, but counsel and defendant who is self-represented may appear by telephone in accordance with the court's telephone appearance procedures

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

10:00 AM

CONT... Minon Miller

Chapter 7

(which may be viewed online on the court's website).

No tentative ruling as of 11/30/15. Appearances are required on 12/1/15, but counsel and defendant who is self-represented may appear by telephone in accordance with the court's telephone appearance procedures (which may be viewed online on the court's website).

Party Information

Debtor(s):

Minon Miller

Pro Se

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

11:00 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/11/17, 1/17/18, 2/28/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
1/17/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 10/11/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#3.00 Cont'd status conference re: Management of chapter 11 case
fr. 11/1/17, 3/28/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits.
Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report proposing a claims bar date of 1/24/18 with notice being served by 11/8/17 and a disclosure statement filing deadline of 2/28/18. These dates are satisfactory, and debtor should submit a proposed scheduling order. Appearances are required on 11/1/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

11:00 AM

2:17-22183 1060 Palms, LLC

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 11/29/17, 2/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. The
proposed schedule of proceedings appears reasonable. However, this court
requires at least 60 days notice to creditors of any claims filing bar date.
Appearances are required on 11/29/17, but counsel may appear by
telephone.

Party Information

Debtor(s):

1060 Palms, LLC

Represented By
Moises S Bardavid

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

11:00 AM

2:18-14084 Edgar Eduardo Esparza

Chapter 11

#5.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report proposing a claims bar date of 7/30/18, but the court requires 60 days notice of a bar date to creditors, which means notice must be served on all creditors by 5/31/18. The court is inclined to set a bar date of 8/10/18 with notice served by 6/8/18. Otherwise, no tentative ruling on the merits. Appearances are required on 5/30/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Edgar Eduardo Esparza

Represented By
Giovanni Orantes

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

11:00 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#6.00 Hearing re: Motion for entry of order authorizing debtor to (A) use cash collateral through and including October 31, 2018; and (B) borrow money from affiliate, US Longton, Inc., on an administrative expense priority basis

Docket 71

Tentative Ruling:

Grant debtor's motion to authorize use of cash collateral and to borrow from affiliate on an administrative expense basis for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 5/30/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Fox Property Holdings, LLC

Represented By
Timothy J Yoo
Juliet Y Oh
Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

11:00 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#7.00 Hearing re: Motion to extend the debtor's exclusive periods to file and solicit a plan of reorganization

Docket 70

Tentative Ruling:

Grant debtor's motion to extend exclusivity to propose a plan and obtain acceptances for the reasons stated in the moving papers. It appears to the court that debtor is attempting to reorganize in good faith by prosecuting the unlawful detainer action to obtain possession of the property with the intent to lease out space once possession is recovered, the claims bar date is about to pass, so that debtor will know the universe of claims to deal with and to formulate a plan, this is a first request for extension of plan exclusivity, and the requested extension is only three months, in a case that was only filed four months ago, debtor should have an opportunity to make progress in the unlawful detainer action to generate income to formulate a plan, it does not appear that debtor is using the request to extend plan exclusivity to pressure creditors, if progress in recovering possession is not being made, then it may be appropriate that debtor should consider selling its real property to realize value for creditors. See *In re Henry Mayo Newhall Memorial Hospital*, 282 B.R. 444 (9th Cir. BAP 2002). Appearances are required on 5/30/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Fox Property Holdings, LLC

Represented By

Timothy J Yoo

Juliet Y Oh

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

11:30 AM

2:15-12558 Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel

Chapter 11

#8.00 Hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 449

Tentative Ruling:

Debtor should be prepared to respond to the proposed resolution of the motion set forth in Movant's reply, such as setting a deadline for filing an amended disclosure statement and plan if the property is not sold. Otherwise, no tentative ruling on the merits. Appearances are required on 5/30/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kenneth Leonard Dymmel

Represented By
Robert M Aronson

Joint Debtor(s):

Ruth Elizabeth Dymmel

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

11:30 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#9.00 Hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 449

***** VACATED *** REASON: Voluntary dismissal/withdrawal of motion
filed on 5/17/18-mb.**

Tentative Ruling:

Off calendar. Motion withdrawn. No appearances are necessary.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

11:30 AM

2:13-14135 Art and Architecture Books of the 21st Century and 400 S.

Chapter 11

#9.10 Cont'd hearing re: Motion of plan agent to disqualify Brown Rudnick, LLP as counsel to
400 S. La Brea, LLC
fr. 5/2/18, 5/9/18, 5/23/18

Docket 2320

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. Appearances are required on 5/9/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

11:30 AM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#9.20 Cont'd hearing re: Motion of plan agent to sanction 400 S. La Brea, LLC, for violations of Fed. R. Bankr. P. 9011 fr. 5/2/18, 5/9/18, 5/23/18

Docket 355

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No updated tentative ruling on the merits from what was stated in the prior order continuing hearing. Appearances are required on 5/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. Appearances are required on 5/9/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Douglas Christmas

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

11:30 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

ACE MUSEUM, a California

Represented By
Alan W Forsley

400 S La Brea, LLC a California

Represented By
Michael W Vivoli
Ashley M McDow
Michael T Delaney
Ronald Rus
Joel S. Miliband

Jennifer Kellen

Represented By
J. Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

1:30 PM

2:17-17863 Sharon Kelly

Chapter 7

Adv#: 2:17-01415 Gross v. Kelly

#10.00 Cont'd hearing re: Motion for summary judgment, or alternatively for summary adjudication of the 1st and 2nd claims for relief

fr. 4/24/18, 5/23/18

Docket 39

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/30/18, but counsel may appear by telephone.

Revised tentative ruling as of 4/23/18 at 5:30 p.m. Off calendar. The court is issuing a written order continuing the hearing on the motion to 5/23/18 at 1:30 p.m. The order requires the parties to redact personal identifier information in their papers as required by FRBP 7037 and LBR 7037-1. The parties improperly stated the names of minor children and other personal identifiers in their papers. The parties also cited to numerous unreported court decisions in their papers and failed to provide the court with unmarked, complete copies of these decisions as required by LBR 9013-2(c)(3)(D). No appearances are required on 4/24/18.

Party Information

Debtor(s):

Sharon Kelly

Represented By
Richard T Baum

Defendant(s):

Sharon Kelly

Represented By
Cassandra K. Riles

Movant(s):

Mark P. Gross

Represented By
Gary A Starre

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, May 30, 2018

Hearing Room 1675

1:30 PM

CONT... Sharon Kelly

Chapter 7

Plaintiff(s):

Mark P. Gross

Represented By
Gary A Starre

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 31, 2018

Hearing Room 1675

9:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#1.00 Hearing re: Motion to permit rejecting ballots of the D'Addario creditors to be treated as accepting ballots

Docket 392

Tentative Ruling:

No tentative ruling as of 5/25/18. Appearances are required on 5/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 31, 2018

Hearing Room 1675

9:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

**#2.00 TRIAL RE: Confirmation of plan
fr. 4/25/18, 5/4/18, 5/16/18**

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling will be issued for the evidentiary hearing on plan confirmation. Appearances are required on 5/31/18.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 31, 2018

Hearing Room 1675

9:00 AM

CONT... Swing House Rehearsal and Recording, Inc.
telephone.

Chapter 11

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 31, 2018

Hearing Room 1675

9:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#3.00 Cont'd hearing re: Motion to modify plan
fr. 4/2/18, 4/25/18, 5/16/18

Docket 263

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on
4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on
4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on
4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on
3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by
telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 31, 2018

Hearing Room 1675

9:00 AM

CONT... Swing House Rehearsal and Recording, Inc. and Philip Chapter 11

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 and the related motion to modify plan set for 11/2/17 at 9:00 a.m. will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 31, 2018

Hearing Room 1675

9:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#4.00 Cont'd hearing re: Motion to value collateral supporting claim 7-1
[11 U.S.C. §506(a), FRBP 3012]
fr. 4/2/18, 4/25/18, 5/16/18

Docket 223

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/18. Appearances are required on
5/16/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on
4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on
4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on
4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on
3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 31, 2018

Hearing Room 1675

9:00 AM

CONT... Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the hearing on 11/2/17 will be treated as a status conference. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 31, 2018

Hearing Room 1675

9:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/2/18, 4/25/18, 5/16/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/18. Appearances are required on
5/16/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on
4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on
4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on
4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on
3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, May 31, 2018

Hearing Room 1675

9:00 AM

CONT... Swing House Rehearsal and Recording, Inc.

Chapter 11

Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/30/17. No tentative ruling on the merits. Appearances are required on 11/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits. Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m. Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits. Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits. Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, June 01, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#1.00 Status conference re: Confirmation of plan
fr. 5/4/18, 5/16/18, 5/31/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling will be issued for the evidentiary hearing on plan confirmation. Appearances are required on 5/31/18.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, June 01, 2018

Hearing Room 1675

2:30 PM

CONT... Swing House Rehearsal and Recording, Inc.

Chapter 11

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, June 01, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#2.00 Cont'd hearing re: Motion to modify plan
fr. 4/2/18, 4/25/18, 5/16/18

Docket 263

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on
4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on
4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on
4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on
3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, June 01, 2018

Hearing Room 1675

2:30 PM

CONT... Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 and the related motion to modify plan set for 11/2/17 at 9:00 a.m. will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, June 01, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#3.00 Cont'd hearing re: Emergency motion for turnover of property of the estate and books and records relating to property of the estate (from Jonathan Mover and Genoveva Winsen)
fr. 5/29/18

Docket 433

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, June 01, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/2/18, 4/25/18, 5/16/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/18. Appearances are required on
5/16/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on
4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on
4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on
4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on
3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, June 01, 2018

Hearing Room 1675

2:30 PM

CONT... Swing House Rehearsal and Recording, Inc.
telephone.

Chapter 11

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/30/17. No tentative ruling on the merits.
Appearances are required on 11/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.
Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

10:30 AM

2:17-24614 Guadalupe Silvia Barballanez

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Bank of America, N.A. VS Debtor)

Docket 21

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Guadalupe Silvia Barballanez

Represented By
Allan S Williams

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

10:30 AM

2:17-25689 Imelda Gabriela Carrillo

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(ACAR Leasing LTD., VS Debtor)

Docket 18

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Imelda Gabriela Carrillo

Represented By
Luis G Torres

Movant(s):

ACAR Leasing LTD dba GM

Represented By
Jennifer H Wang

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

10:30 AM

CONT... Imelda Gabriela Carrillo

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

10:30 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#3.00 Hearing re: Motion for relief from stay
(Behrouz Shadsirat VS Debtors)

Docket 41

Tentative Ruling:

Since it appears that the state court litigation for which movant seeks stay relief based on mandatory abstention has been removed by debtors to this court, the court is inclined to deny the motion without prejudice because there is no pending litigation in state court for this court to abstain for. See *In re Roman Catholic Bishop of San Diego*, 374 B.R. 756, 760 (Bankr. S.D. Cal. 2007), citing inter alia, *Security Farms v. International Brotherhood of Teamsters*, 124 F.3d 999, 1009-1010 (9th Cir. 1997). Movant will need to bring a motion for equitable remand under 28 U.S.C. 1452(b) in conjunction with a renewed stay relief motion for the state court litigation to proceed. Appearances are required on 6/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Movant(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

10:30 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#4.00 Hearing re: Motion for relief from stay
(US Bank National Association VS Debtor)

Docket 30

***** VACATED *** REASON: Cont'd from 6/5/18 to 6/19/18 at 10:30 a.m.
per stip & order entered on 5/18/18- st**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 6/19/18 at 10:30 a.m. No appearances are required on 6/5/18.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

Movant(s):

U.S. Bank National Association as

Represented By
William D Coffee

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

10:30 AM

2:18-13130 Yehuda Kelman

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(CD A Investment, LLC VS Debtor)

Docket 70

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies, including stay annulment, for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Yehuda Kelman

Represented By
Sevag S Simonian

Movant(s):

CD A Investment, LLC

Represented By
Carol G Unruh

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

10:30 AM

CONT... Yehuda Kelman

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

10:30 AM

2:18-13937 Lorenzo Noria, Sr. and Stephanie Thompson-Noria

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(U.S. Bank National Association VS Debtors)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Lorenzo Noria Sr.

Represented By
Elena Steers

Joint Debtor(s):

Stephanie Thompson-Noria

Represented By
Elena Steers

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

10:30 AM

CONT... Lorenzo Noria, Sr. and Stephanie Thompson-Noria

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

10:30 AM

2:18-14555 Joseph Burns Wright and Maureen Elizabeth Wright

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(Ford Motor Credit Company LLC VS Debtors)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362 (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Joseph Burns Wright

Represented By
David H Chung

Joint Debtor(s):

Maureen Elizabeth Wright

Represented By
David H Chung

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

10:30 AM

CONT... Joseph Burns Wright and Maureen Elizabeth Wright

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

10:30 AM

2:18-14800 Lorenzo M Mora

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(Partners Federal Credit Union VS Debtor)

Docket 10

Tentative Ruling:

Movant failed to provide a judge's copy of the moving papers with separately tabbed exhibits as required by LBR 5005-2(d). If movant provides the court with a properly tabbed judge's copy of the moving papers as required by the rules, grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny stay relief under 11 U.S.C. 362(d)(2) because moving papers admit that debtor has equity in the collateral, and thus, movant has failed to meet its burden of showing the lack of equity under 11 U.S.C. 362(g)(1). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Appearances are required on 6/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Lorenzo M Mora

Represented By
Raymond Perez

Movant(s):

Partners Federal Credit Union

Represented By
Yuri Voronin

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

10:30 AM

2:18-11306 Salvador Alejandre

Chapter 7

#8.10 Cont'd hearing re: Motion for relief from stay
(Kinecta Federal Credit Union VS Debtor)
fr. 5/8/18, 5/29/18

Docket 10

Tentative Ruling:

Updated tentative ruling as of 6/4/18. It does not appear that an amended notice of motion was filed and served on debtor personally. The proof of service itself is not an amended notice of motion, so it appears that service of the motion is still deficient. Appearances are required on 6/5/18, but counsel may appear by telephone.

Prior tentative ruling. Service of the motion is deficient since as indicated on the proof of service to the motion, there was no service on debtor required under LBR 4001-1(c)(1)(C)(i) which requires service not just on debtor's attorney, but debtor himself. Movant also failed to provide a judge's copy of the moving papers with separately tabbed exhibits as required by LBR 5005-2(d). Appearances are required on 5/8/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Salvador Alejandre

Represented By
Carlos A Delgado Ibarcena

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01556 Gonzalez v. Klimenko

#9.00 Cont'd status conference re: Complaint objecting to discharge
fr. 1/30/18, 3/20/18, 6/5/18

Docket 1

***** VACATED *** REASON: Cont'd from 6/5/18 to 7/31/18 at 1:30 p.m.
per stip & order entered on 4/24/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 7/31/18 at 1:30 p.m. No appearances are required on 6/5/18.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh
Michael Jay Berger

Defendant(s):

Wladimir John Klimenko

Pro Se

Plaintiff(s):

Rosendo Gonzalez

Represented By
D Edward Hays

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01020 Grand View Financial, LLC v. Wilmington Savings Fund Society, FSB et al

#10.00 Cont'd status conference re: Complaint for: (1) Declaratory relief regarding alleged standing of certain defendants under note and deed of trust, purported foreclosure sale, purported trustee's deed upon sale, purported subsequent sales and grant deeds, and title to real property; (2) Turnover of real property; (3) Disallowance of any claims of Christian Trust, ARCS, Inc., and Renovation Resolutions, Inc.; (4) Violation of fair debt collection practices act
fr. 4/10/18

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on 5/1/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/4/18. Off calendar. Adversary proceeding dismissed by stipulation and order entered on 5/1/18. No appearances are required on 6/5/18.

Prior tentative ruling. The court has reviewed the joint status report suggesting that the status conference be continued until late May 2018 because the pleadings are not yet at issue. The court continues the status conference on its own motion to 6/5/18 at 1:30 p.m., and a further joint status report must be filed on or before 5/29/18. No appearances are required on 4/10/18. Counsel for plaintiff is to give notice to counsel for defendants.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By

Todd M Arnold

Lindsey L Smith

Ian Landsberg

Defendant(s):

Wilmington Savings Fund Society,

Pro Se

Christiana Trust, A Division Of

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

1:30 PM

CONT... Grand View Financial LLC

Chapter 11

ARNS Inc. Pro Se

Renovation Resolutions, LLC Pro Se

Recontrust Company, N.A. Pro Se

Western Progressive, LLC Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01035 Grand View Financial, LLC v. Nations Direct Mortgage, LLC et al

#11.00 Cont'd status conference re: Complaint for: (1) Declaratory relief; (2) Disallowance of any claims of PennyMac Loan Services, LLC; and (3) Violation of fair debt collection practices act
fr. 4/10/18

Docket 1

***** VACATED *** REASON: Cont'd from 6/5/18 to 7/17/18 at 1:30 p.m.
per order entered on 4/30/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/4/18. Off calendar. Continued by prior order to 7/17/18 at 1:30 p.m. No appearances are required on 6/5/18.

Prior tentative ruling. The court has reviewed the joint status report suggesting that the status conference be continued until late May 2018 because the pleadings are not yet at issue. The court continues the status conference on its own motion to 6/5/18 at 1:30 p.m., and a further joint status report must be filed on or before 5/29/18. No appearances are required on 4/10/18. Counsel for plaintiff is to give notice to counsel for defendants.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By

Todd M Arnold

Lindsey L Smith

Ian Landsberg

Defendant(s):

Nations Direct Mortgage, LLC

Pro Se

Mortgage Electronic Registration

Pro Se

Fidelity National Title aka Fidelity

Pro Se

PennyMac Loan Services, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

1:30 PM

CONT... Grand View Financial LLC

Chapter 11

PennyMac Corp.

Pro Se

Massachusetts Mutual Life

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

1:30 PM

2:18-10170 Min Jeong Min

Chapter 7

Adv#: 2:18-01086 Kosma Tex v. Min

#12.00 Status conference re: Complaint objecting to dischargeability of debt and to determine debt to be nondischargeable under 11 U.S.C. §523(a)(2)(A)

Docket 1

Tentative Ruling:

Since default has been entered against defendant, defendant will have to file a motion to set aside default unless plaintiff is willing to stipulate to set aside the default and allow defendant's answer to be considered filed. The parties should be prepared to address the issue of whether the default should be set aside. The court is not inclined to set a litigation schedule until the issue of the setting aside the default is resolved. Appearances are required on 6/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Min Jeong Min

Represented By
Young K Chang

Defendant(s):

Min Jeong Min

Pro Se

Plaintiff(s):

Kosma Tex

Represented By
Vahe Khojayan

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

2:16-26310 Jong Kyu Cha

Chapter 7

Adv#: 2:17-01201 Hanin Federal Credit Union v. Cha

#13.00 Cont'd status conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(2)(A) and (B), 11 U.S.C. 523(a)(4) and 11 U.S.C. §523(a)(6) fr. 10/10/17, 10/24/17, 1/30/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/4/18. Counsel for plaintiff filed a notice of settlement on 5/29/18. No tentative ruling on the merits. Appearances are required on 6/5/18 to confirm the proposed settlement, and if not, to address why no joint status report or pretrial stipulation has been filed, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. The court has reviewed the joint status report stating that the parties are actively negotiating settlement. No tentative ruling on the merits. Appearances are required on 1/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits. Appearances are required on 10/24/17.

Prior tentative ruling as of 10/6/17. No tentative ruling on the merits. Appearances are required on 10/10/17.

Prior tentative ruling. The court has reviewed the joint status report and notes that the report does not state whether the parties had their LBR 7026-1 meeting of counsel. Appearances are required on 5/23/17.

Party Information

Debtor(s):

Jong Kyu Cha

Represented By
Jisoo Hwang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

CONT... Jong Kyu Cha

Chapter 7

Defendant(s):

Jong Kyu Cha

Pro Se

Plaintiff(s):

Hanin Federal Credit Union

Represented By
Jiyoung Kym
Jiyoung Kym

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez
Adv#: 2:17-01147 Hinojos v. Martinez

Chapter 7

#13.10 Cont'd pretrial conference re: Complaint to determine dischargeability of debt fr. 9/26/17, 11/14/17, 5/21/18

Docket 1

***** VACATED *** REASON: Cont'd from 6/5/18 to 6/19/18 at 2:00 p.m.
per stip & order entered on 6/1/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Plaintiff(s):

Ezequiel Hinojos

Represented By
Thomas Spielbauer
Thomas Spielbauer

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01144 Alde Financial Group, LLC v. Martinez

#13.20 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
[11 U.S.C. §523(a)(2)(A)]
fr. 9/26/17, 11/14/17, 5/22/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. The court has reviewed the joint status report. Appearances are required on 11/14/17 to discuss the possibility of joint mediation, scheduling of further proceedings, including pretrial conference and trial, but counsel may appear by telephone. The consensus of the parties seems to be a discovery cutoff date of March 2018, i.e., March 31, 2018, a pretrial conference in April 2018, and a trial date in June 2018. The parties should be prepared to discuss how the case should be tried, given there are 6 sets of plaintiffs, and the length of trial, so that all parties have a full and fair opportunity to present their various cases. Perhaps it would be helpful to consider trying certain claims based on commonality of witnesses and facts, such as the particular type of investment vehicle involved. Defendant indicated an interest in mediation, but plaintiffs indicated no interest in mediation, and the court would like to hear from plaintiffs why mediation would not be helpful in resolving their claims, given that collectibility of defendant is probably an issue.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 9/1/17 and a further postdiscovery status conference for 9/26/17 at 1:30 p.m. with a joint status report due on 9/19/17. Order the matter to mediation, the parties are to file a request for selection of mediator

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez Chapter 7

and alternate mediator by 5/19/17 and complete mediation by 9/26/17.
Appearances are required on 4/18/17, but counsel may appear by telephone.
Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Alde Financial Group, LLC

Represented By
Timothy J Silverman

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01146 Karen Baird v. Martinez

#13.30 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
[11 U.S.C. §523(a)(2)(A)]
fr. 9/26/17, 11/14/17, 5/22/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 9/1/17 and a further postdiscovery status conference for 9/26/17 at 1:30 p.m. with a joint status report due on 9/19/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 9/26/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Plaintiff(s):

Karen Baird

Represented By
Timothy J Silverman

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01149 Van v. Martinez

#13.40 Cont'd pretrial conference re: Complaint for denial of discharge of debt
fr. 9/26/17, 11/14/17, 5/22/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the status reports filed by the parties. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Plaintiff(s):

Sandy Van

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01157 Wideload Investments, LLC et al v. Martinez

#13.50 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
 [11 U.S.C. §523(a)(2)(A)]
 fr. 9/26/17, 11/14/18, 5/22/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Wideload Investments, LLC

Represented By
Ryan A. Ellis

Benjamin Rudnitsky

Represented By
Ryan A. Ellis

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01158 Carter et al v. Martinez

#13.60 Cont'd pretrial conference re: Complaint to except debt from discharge for willful and malicious injury and as money obtained under false pretenses; fraud [11 U.S.C. § 523 (a)2)(A) & (6)] fr. 9/26/17, 11/14/17, 5/22/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the unilateral status report filed by defendant. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Defendant(s):

Anthony Roy Martinez Pro Se

Plaintiff(s):

Lance Carter Represented By
Dana M Douglas

Jean Holmes Represented By
Dana M Douglas

Carriage Estates LLC Represented By
Dana M Douglas

Adamantine Investments LLC Represented By
Dana M Douglas

Sterling Holdings LLC Represented By
Dana M Douglas

Lance Carter IRA 419990 Pro Se

Trustee(s):

Wesley H Avery (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:30 PM

2:16-17064 Maria Virginia Marti
Adv#: 2:16-01270 Romero v. Marti

Chapter 7

#14.00 Hearing re: Motion to dismiss adversary proceeding

Docket 179

Tentative Ruling:

Deny defendant's motion to dismiss the adversary proceeding for reasons stated in plaintiff's opposition, primarily in order to accord substantial justice to plaintiff in light of the apparent abandonment of plaintiff by his former counsel. Appearances are required on 6/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Maria Virginia Marti

Represented By
Anita Khachikyan

Defendant(s):

Maria Virginia Marti

Represented By
Derek L Tabone

Plaintiff(s):

Mario Romero

Represented By
Dimitrios P Biller
Derek L Tabone
Patrick M Maloney

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:30 PM

2:13-28484 Pasadena Adult Residential Care, Inc

Chapter 7

#15.00 Cont'd hearing re: Trustee's motion for authority to execute amended sale documents to allow California Department of Social Services to approve transfer of operating licenses of debtors pursuant to order approving sale entered January 19, 2016 fr. 5/29/18

Docket 705

Tentative Ruling:

Updated tentative ruling as of 6/4/18. Grant the trustee's motion for authorization to sign the amended sale documents to allow the California Department of Social Services to approve of the operating licenses of the new operators pursuant to the court's sale order entered 1/19/16. Although the counsel declaration represents that the proposed language in the documents is acceptable to the California Department of Social Services and the buyer/new operator parties, appearances are required on 6/5/18 since such acceptance is not manifested in writing by those entities, but counsel may appear by telephone.

Prior tentative ruling. It appears that the trustee is requesting authorization to execute the first amendments to management and operations transfer agreements to consummate the sale of debtors' assets and operations under the sale agreement to conform to the agreement between the buyer and California Department of Social Services, and not the lease agreements between the buyer through its landholding entities and its designated operating entities. It would be helpful to the court that trustee clarify these details. Otherwise, it appears that the motion should be granted for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 5/29/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Pasadena Adult Residential Care, Inc

Represented By
Hamid R Rafatjoo
Joyce H Vega

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:30 PM

CONT... Pasadena Adult Residential Care, Inc

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Represented By
Dawn A Messick
Christopher Celentino

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:30 PM

2:13-28484 Pasadena Adult Residential Care, Inc

Chapter 7

#16.00 Cont'd status conference re: New operator license
fr. 1/17/18, 5/2/18, 5/29/18

Docket 656

Tentative Ruling:

Updated tentative ruling as of 6/4/18. No tentative ruling on the merits.
Appearances are required on 6/5/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. No tentative ruling on the merits.
Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits.
Appearances are required on 10/25/17, but counsel may appear by
telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits.
Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/17. No tentative ruling on the merits.
Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits.
Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed trustee's status report. No

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 5, 2018

Hearing Room 1675

2:30 PM

CONT... Pasadena Adult Residential Care, Inc Chapter 7
tentative ruling on the merits. Appearances are required on 1/11/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

Pasadena Adult Residential Care, Inc	Represented By Hamid R Rafatjoo Joyce H Vega
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Trustee(s):

Peter J Mastan (TR)	Represented By Dawn A Messick Christopher Celentino Ballard Spahr LLP
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#1.00 Cont'd status conference re: Complaint for: (1) Avoidance, recovery, and preservation of fraudulent transfers; (2) Avoidance, recovery, and preservation of preferential transfers; (3) Turnover of property; (4) Avoidance and recovery of transfers; (5) Avoidance and recovery of post-petition transfers to defendant ACE Gallery New York Corporation; and (6) Disallowance of claims
fr. 3/6/18, 3/7/18, 4/4/18

Docket 1

***** VACATED *** REASON: Matter reset to 11:00 a.m. from 10:00 a.m.
per order entered on 5/31/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/4/18. This matter is rescheduled for the court's 11:00 a.m. calendar. Appearances are required on 6/6/18 at 11:00 a.m., not 10:00 a.m.

Updated tentative ruling as of 4/2/18. No tentative ruling on the merits. Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits. Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

No updated tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

10:00 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Prior tentative ruling as of 12/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/13/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings in light of the anticipated motion to consolidate related actions, but counsel may appear by telephone.

Prior tentative ruling as of 6/20/16. No tentative ruling on the merits. Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/25/16. Off calendar. The court has reviewed plan agent's unilateral status report stating that the deadline for defendant's response was extended to 4/29/16 and that the matter is not yet at issue, and the court on its own motion continues the status conference to 6/21/16 at 1:30 p.m. pending defendant's response to the complaint. No appearances are required on 4/26/16.

No tentative ruling as of 2/22/16. Appearances are required on 2/23/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Ron Bender
Beth Ann R Young
Krikor J Meshefejian
Kurt Ramlo
David W. Meadows

Defendant(s):

Ace Gallery New York Corporation,

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

10:00 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#2.00 Cont'd hearing re: Fourth and final application of SulmeyerKupetz, a professional corporation, general bankruptcy counsel for official committee of unsecured creditors, for allowance and payment of fees and expenses, Period: 11/14/2015 to 4/6/2016, Fee: \$1,222,090.50, Expenses: \$71,194.27.
fr. 2/15/17, 5/17/17, 8/16/17, 1/31/18

Docket 2004

Tentative Ruling:

Updated tentative ruling as of 6/4/18. No tentative ruling on the merits.
Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits.
Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 8/14/17. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

No tentative ruling as of 9/19/16. The court has not completed its review of the application and will continue the hearing. Appearances are required on 9/21/16 to discuss continuance, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#3.00 Cont'd hearing re: Fourth and final application of Levene, Neale, Bender, Yoo & Brill L.L.P. for approval of fees and reimbursement of expenses for Kurt Ramlo, Debtor's Attorney, Period: 11/16/2015 to 5/6/2016, Fee: \$618,081.00, Expenses: \$44,014.52. fr. 2/15/17, 5/17/17, 8/16/17, 1/31/18

Docket 2000

Tentative Ruling:

Updated tentative ruling as of 6/4/18. No tentative ruling on the merits. Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 8/14/17. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/16. Appearances are required on 11/30/16, but counsel may appear by telephone.

No tentative ruling as of 9/19/16. The court has not completed its review of the application and will continue the hearing. Appearances are required on 9/21/16 to discuss continuance, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

CONT...

Art and Architecture Books of the 21st Century

Jerome S Cohen

Carolyn A Dye

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#4.00 Cont'd hearing re: Motion of Robins Kaplan LLP for allowance of administrative expense claim pursuant to section 503(b)(4) of the bankruptcy code fr. 2/15/17, 5/17/17, 8/16/17, 1/31/18

Docket 2112

Tentative Ruling:

Updated tentative ruling as of 6/4/18. No tentative ruling on the merits. Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 8/14/17. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/16. Appearances are required on 11/30/16, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014. The parties should be prepared to discuss whether an evidentiary hearing is needed to resolve the disputed factual issues of whether fees for applicant's services on behalf of a creditor or equity holder were actual and necessary in making a substantial contribution to the Chapter 11 case under 11 U.S.C. 503(b)(3) and (4), and if so, what their discovery and other pretrial needs are. In addition, or in the alternative, deny as time-barred since application was filed on August 24, 2016 after the bar date for filing administrative expense professional fee claims of May 6, 2016 pursuant to Section 3.2 of Confirmed

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Plan at page 23, ECF 1859, based on a plan effective date of April 6, 2016.
See Notice of Effective Date, ECF 1907, filed on April 7, 2016. Appearances
are required on 9/21/16 to discuss scheduling of further proceedings.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Thomas M Geher
David W. Meadows
David W. Meadows
Jerome S Cohen
Jerome S Cohen
Carolyn A Dye
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#5.00 Cont'd status conference re: Post confirmation of plan
fr. 2/15/17, 5/17/17, 8/16/17, 1/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/4/18. The court has reviewed the plan agent's status report. No tentative ruling on the merits. Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/30/18. The court has reviewed the plan agent's status report. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. The court has reviewed plan agent's status report. No tentative ruling on the merits. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the plan agent's postconfirmation status report. No tentative ruling on the merits. The court is interested in hearing from the plan agent and the parties regarding the status of plan implementation in light of the current administrative insolvency of the case, including the ability of reorganized debtor to fund continuing operations, possible resolution of plan defaults from inability and failure of the estate/reorganized debtor to pay allowed administrative expense claims now due, and the status of settlement discussions with the Wilshire property landlord and art consignor creditors. Appearances are required on 9/21/16, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#6.00 Cont'd hearing re: Order to show cause why case should not be dismissed under Local Bankruptcy Rule 9011-2(a) fr. 4/18/18

Docket 82

Tentative Ruling:

Updated tentative ruling as of 6/4/18. Off calendar. The court on its own motion continues the hearing to be conducted with the hearing on the motion of creditor Second Generation, Inc., to convert the case to Chapter 7 on 6/19/18 at 2:30 p.m. No appearances are required on 6/6/18.

No tentative ruling as of 4/16/18. Appearances are required on 4/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By

John-Patrick M Fritz

Ryan D ODea

Leonard M Shulman

Shulman Hodges & Bastian LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

Adv#: 2:15-01679

THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

- #5.10** Cont'd status conference re: Complaint for: (1) Avoidance, recovery, and preservation of fraudulent transfers; (2) Avoidance, recovery, and preservation of preferential transfers; (3) Turnover of property; (4) Avoidance and recovery of transfers; (5) Avoidance and recovery of post-petition transfers to defendant ACE Gallery New York Corporation; and (6) Disallowance of claims
fr. 3/6/18, 3/7/18, 4/4/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 4/2/18. No tentative ruling on the merits.
Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits.
Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits.
Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/25/17, but counsel may appear by telephone.

No updated tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/13/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the joint status

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

CONT... Art and Architecture Books of the 21st Century Chapter 11

report. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings in light of the anticipated motion to consolidate related actions, but counsel may appear by telephone.

Prior tentative ruling as of 6/20/16. No tentative ruling on the merits. Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/25/16. Off calendar. The court has reviewed plan agent's unilateral status report stating that the deadline for defendant's response was extended to 4/29/16 and that the matter is not yet at issue, and the court on its own motion continues the status conference to 6/21/16 at 1:30 p.m. pending defendant's response to the complaint. No appearances are required on 4/26/16.

No tentative ruling as of 2/22/16. Appearances are required on 2/23/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Ron Bender
Beth Ann R Young
Krikor J Meshefejian
Kurt Ramlo
David W. Meadows

Defendant(s):

Ace Gallery New York Corporation,

Pro Se

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/17/18, 4/25/18, 4/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/4/18. Off calendar. The court on its own motion continues the status conference to be conducted with the hearing on the motion of creditor Second Generation, Inc., to convert the case to Chapter 7 on 6/19/18 at 2:30 p.m. No appearances are required on 6/6/18.

Prior tentative ruling as of 4/17/18. Off calendar. Status conference advanced to 4/18/18 at 11:00 a.m. by prior order. No appearances are required on 4/25/18.

Prior tentative ruling as of 1/12/18. Appearances are required on 1/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
David B Golubchik
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:17-24288 Yong Xin Investment Group, LLC

Chapter 11

#8.00 Hearing re: Motion for entry of an order for: (1) approval of settlement agreement between the debtor and secured creditors Ta Siu and Qin Chen pursuant to rule 9019(a) and (2) dismissal of the debtor's chapter 11 case pursuant to Section 1112

Docket 48

Tentative Ruling:

Grant debtor's motions to approve compromise and to dismiss Chapter 11 bankruptcy case for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 6/6/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Yong Xin Investment Group, LLC

Represented By
James S Yan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:17-24288 Yong Xin Investment Group, LLC

Chapter 11

#9.00 Cont'd hearing re: Motion for order extending the exclusivity period under 11 U.S.C. § 1121(d) and extending the period for filing a plan under 11 U.S.C. §362(d)(3) fr. 3/28/18, 5/16/18

Docket 25

Tentative Ruling:

Updated tentative ruling as of 6/4/18. The motion appears to be moot if the court grants debtor's pending motions to approve compromise and to dismiss Chapter 11 bankruptcy case. Appearances are required on 6/6/18, but counsel may appear by telephone.

Revised tentative ruling as of 5/11/18. Off calendar. Continued by stipulation and order to 6/6/18 at 11:00 a.m. No appearances are required on 5/16/18.

Revised tentative ruling as of 3/26/18. Off calendar. Continued by stipulation and order to 5/16/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling. Assuming the court does not grant creditors' pending stay relief motion under 11 U.S.C. 362(d)(3), grant motion to extend plan exclusivity under 11 U.S.C. 1121(d) because cause to extend plan exclusivity for a short period of time, about 90 days, to 7/1/18 is shown by debtor marketing the property "as is," proceeding with claims resolution process by having a bar date set, attempting to obtain LADRP approval of a final subdivision map and this is the first request to extend exclusivity. Granting a first extension of plan exclusivity does not necessarily favor further extensions unless debtor makes specific progress in either marketing the property or obtaining land use approvals to develop the real property. Appearances are required on 3/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Yong Xin Investment Group, LLC

Represented By
James S Yan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:17-24288 Yong Xin Investment Group, LLC

Chapter 11

#10.00 Cont'd hearing re: Motion for relief from stay
(Ta Siu & Qin Chen VS Debtor)
fr. 3/27/18, 5/16/18

Docket 29

Tentative Ruling:

Updated tentative ruling as of 6/4/18. The motion appears to be moot if the court grants debtor's pending motions to approve compromise and to dismiss Chapter 11 bankruptcy case. Appearances are required on 6/6/18, but counsel may appear by telephone.

Revised tentative ruling as of 5/11/18. Off calendar. Continued by stipulation and order to 6/6/18 at 11:00 a.m. No appearances are required on 5/16/18.

Revised tentative ruling as of 3/26/18. Off calendar. Continued by stipulation and order to 5/16/18 at 11:00 a.m. No appearances are required on 3/27/18.

Prior tentative ruling. Deny motion for relief from stay under 11 U.S.C. 362(d) (1) on grounds of bad faith since the circumstances argued by movants that the debtor is a SARE and that there are few other creditors and movants are the major creditors, and thus, this is only a two-party dispute, by themselves do not make this case to be one filed in bad faith.

Deny motion for relief from stay under 11 U.S.C. 362(d)(3) on condition that debtor pay adequate protection payments to movants based on the 8% nondefault contract rate of interest on the value of the creditors' interest in the real estate, retroactive to the date of the first adequate protection payment. It appears that: (1) counsel for the parties were negotiating adequate protection terms in good faith near the end of the 90-day period after the order for relief; (2) counsel for movants proposed 6% to counsel for debtor during the negotiation, but was unable to obtain client authorization for that proposal and notified counsel for debtor right before the end of the 90 day period; (3) given the shortness of time in the notification of lack of client authority by counsel for movant before the deadline, debtor made a first adequate protection

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

CONT... Yong Xin Investment Group, LLC

Chapter 11

payment at 6% rate preliminarily proposed by counsel for movant before the deadline, which seems to be in good faith; and (4) however, there was no agreement between the parties for adequate protection payments less than the 8% nondefault contract rate, and movants have not waived their rights under 11 U.S.C. 362(d)(3) for at least adequate protection payments based on the nondefault contract rate of 8%, the statute says what it says, and debtor needs to pay that rate as adequate protection if it wants the stay to remain in place under 11 U.S.C. 362(d)(3). If debtor is not willing to pay the 8% rate, the court will grant the motion under 11 U.S.C. 362(d)(3). Debtor in its reply states that it has no problem paying 8%, but the value of the property for adequate protection purposes should be \$3 million, yielding an adequate protection payment of \$20,000, which is less than what was first paid. Apparently, during the adequate protection negotiations, the parties assumed that the value was \$4.5 million, and there may be a material issue of fact of the adequacy of the adequate protection payments for purposes of 11 U.S.C. 362(d)(3) based on differences in valuation of the subject collateral. If the parties dispute valuation, the court will set an evidentiary hearing on valuation, and the parties should be prepared to discuss how they will prove up valuation for the purposes of this motion at the hearing.

Appearances are required on 3/27/18, but counsel may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Yong Xin Investment Group, LLC

Represented By
James S Yan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:17-24288 Yong Xin Investment Group, LLC

Chapter 11

#11.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/10/18, 4/11/18, 5/16/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/4/18. The status conference appears to be moot if the court grants debtor's pending motions to approve compromise and to dismiss Chapter 11 bankruptcy case. Appearances are required on 6/6/18, but counsel may appear by telephone.

Revised tentative ruling as of 5/11/18. Off calendar. Continued by stipulation and order to 6/6/18 at 11:00 a.m. No appearances are required on 5/16/18.

Prior tentative ruling. The court has reviewed debtor's status report. The proposed claims bar date and notice dates proposed in the status report are satisfactory. Because debtor indicated on the petition that this is a single asset real estate case, debtor should advise the court whether it will be asking the court for an extension of the 90 day deadline for filing a plan or commencing adequate protection payments to avoid stay relief under 11 U.S.C. 362(d)(3) for a creditor whose claim is secured by the real estate. Appearances are required on 1/10/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Yong Xin Investment Group, LLC

Represented By
James S Yan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#12.00 Hearing re: Debtor's motion to approve compromise pursuant to Federal Rule of Bankruptcy Procedure 9019

Docket 69

Tentative Ruling:

Grant debtor's motion to approve compromise for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 6/6/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

#13.00 Order to show cause why monetary sanctions of \$250 should not be imposed against Debtor and/or its counsel of record for failing to file and serve a status report as ordered by the court

Docket 113

***** VACATED *** REASON: Order discharging order to show cause entered on 6/1/18-mb.**

Tentative Ruling:

Off calendar. The court has reviewed counsel's response to the order to show cause, and based on the response, the court is issuing an order discharging the order to show cause. No appearances are necessary.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 6, 2018

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#14.00 Hearing re: Motion in individual chapter 11 case for order authorizing use of cash collateral

Docket 43

Tentative Ruling:

As to creditor's objection that the motion for use of cash collateral should not be granted on grounds that a trustee should be appointed on grounds that debtor is mentally incapacitated and the use of the Beverly Hills property is not permitted by local law. The relief that a trustee should be appointed needs to be raised by a motion under 11 U.S.C. 1112(b) and not raised in an opposition to the motion. Whether debtor lacks proper land use regulatory permits is not relevant to the issue presented by the motion of whether he may use cash collateral as requested. As to the intended use of cash collateral, the court is not inclined to approve the payment of management fees as part of the motion since the funds in excess of expenses relating to the property generating the cash collateral should be deposited into the debtor-in-possession bank accounts. From these funds rather than under the guise of a "management fee," Debtor may use estate funds for ordinary course living expenses without first asking for court authorization under 11 U.S.C. 363. In re Seely, 492 B.R. 284 (Bankr. C.D. Cal. 2013). Otherwise, no tentative ruling on the merits. Appearances are required on 6/6/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, June 14, 2018

Hearing Room 1675

1:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of plan
fr. 5/4/18, 5/16/18, 5/31/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 6/14/18. Appearances are required on 6/14/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/25/18. No tentative ruling will be issued for the evidentiary hearing on plan confirmation. Appearances are required on 5/31/18.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, June 14, 2018

Hearing Room 1675

1:30 PM

CONT... Swing House Rehearsal and Recording, Inc.

Chapter 11

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, June 14, 2018

Hearing Room 1675

1:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#2.00 Cont'd hearing re: Emergency motion for turnover of property of the estate and books and records relating to property of the estate (from Jonathan Mover and Genoveva Winsen)
fr. 5/29/18, 5/31/18, 6/1/18

Docket 433

Tentative Ruling:

No tentative ruling as of 6/14/18. Appearances are required on 6/14/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, June 14, 2018

Hearing Room 1675

1:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#3.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/25/18, 5/16/18, 6/1/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 6/14/18. Appearances are required on 6/14/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/18. Appearances are required on 5/16/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, June 14, 2018

Hearing Room 1675

1:30 PM

CONT... Swing House Rehearsal and Recording, Inc.
telephone.

Chapter 11

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/30/17. No tentative ruling on the merits.
Appearances are required on 11/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits.
Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m.
Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits.
Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(The Bank of New York Mellon VS Debtor)

Docket 493

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 4 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

2:17-15655 Amanuel Devon Brooks

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(HSBC Bank USA, N.A. VS Debtor)

Docket 53

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1), (2) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny the request for extraordinary relief in paragraph 3 since the debtor is not the borrower under the relevant loan agreements. The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Amanuel Devon Brooks

Represented By
Dana M Douglas

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

2:18-10068 Manuel Terrazas

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(HSBC Bank USA, N.A. VS Debtor)

Docket 56

Tentative Ruling:

Movant failed to provide a judge's copy of the moving papers which complies with LBR 5005-2(d) and 9004-1(a)(1) requiring separately tabbed exhibits and single-sided pages. Movant failed to tab the exhibits and double-sided pages. The court will not consider the motion until movant corrects these deficiencies and complies with the court's rules. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Manuel Terrazas

Represented By
Leslie Richards

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

2:18-11132 Peter Spennato DDS, Inc.

Chapter 7

#4.00 Cont'd hearing re: Motion for relief from stay
(Peggy Murphy and Genevieve Peterson VS Debtor)
fr. 4/10/18

Docket 8

***** VACATED *** REASON: Withdrawal of motion filed on 6/5/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/18/18. Off calendar. Motion voluntarily withdrawn by notice filed on 6/5/18. No appearances are necessary.

Prior tentative ruling. Continued by stipulation and order to 6/19/18 at 10:30 a.m. No appearances are required on 4/10/18.

Party Information

Debtor(s):

Peter Spennato DDS, Inc.

Represented By
Heather J Canning

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#5.00 Cont'd hearing re: Motion for relief from stay
(US Bank National Association VS Debtor)
fr. 6/5/18

Docket 30

Tentative Ruling:

Treat as a contested matter under FRBP 9014 because there are disputed material issues of fact regarding whether cause is shown for lack of adequate protection and lack of good faith since movant has not met its burden of proof regarding debtor has insufficient equity in the subject property under 11 U.S.C. 362(g)(1) because its valuation evidence regarding equity is inadmissible and the circumstances indicating that debtor was the victim of fraudulent conduct and is pursuing legal action to vindicate its rights to reorganize and pay creditors. Although the court may not be able to take judicial notice of the declaration of the appraiser filed in the state court case, the court will accord sufficient time for debtor to obtain and filed a declaration regarding valuation in this case, and likewise, for movant as well. The court will also afford the parties an opportunity to present evidence on good faith, which will necessarily entail debtor's prospects for successfully reorganizing and obtaining plan confirmation in this case. See In re Bonner Mall Partnership, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). The case of In re Walter, 108 B.R. 244 (Bankr. C.D. Cal. 1989) does not necessarily dictate a finding of bad faith just because debtor filed for bankruptcy after failing to obtain a preliminary injunction to enjoin a foreclosure unless debtor cannot show that it can successfully reorganize and demonstrate reasonable prospects that a plan can be confirmed as recognized by the Bonner Mall decision. Appearances are required on 6/18/18 to discuss scheduling of pretrial and trial proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

CONT... Raesi Group, Inc

Chapter 11

Movant(s):

U.S. Bank National Association as

Represented By
William D Coffee

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(ST America, LLC VS Debtor)

Docket 137

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny requests for extraordinary relief in paragraphs 7, 9 and 11 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Movant(s):

St America, LLC

Represented By
Tammy M Hong

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

2:18-12971 Anthony Santos

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(American Honda Finance Corporation C VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Anthony Santos

Represented By
Lane K Bogard

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

2:18-13723 Jacqueline Melchor

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(BBVA Compass VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Jacqueline Melchor

Represented By
Carlos A Delgado Ibarcena

Movant(s):

BBVA Compass

Represented By
Scott S Weltman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

CONT... Jacqueline Melchor

Chapter 7

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

2:18-15118 Mirna Pastran and Ronald Altamirez

Chapter 7

#9.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtors)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Mirna Pastran

Represented By
Sunita N Sood

Joint Debtor(s):

Ronald Altamirez

Represented By
Sunita N Sood

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

CONT... Mirna Pastran and Ronald Altamirez

Chapter 7

Movant(s):

Toyota Motor Credit Corporation

Represented By
Austin P Nagel

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

2:18-15478 Nekko Trujillo

Chapter 7

#10.00 Hearing re: Motion for relief from stay
(American Honda Finance Corporation VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (d)(2) to pursue non-bankruptcy remedies, including retroactive annulment of stay, for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Nekko Trujillo

Represented By
Todd B Becker

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

2:18-14800 Lorenzo M Mora

Chapter 7

#10.10 Cont'd hearing re: Motion for relief from stay
(Partners Federal Credit Union VS Debtor)
fr. 6/5/18

Docket 10

Tentative Ruling:

Updated tentative ruling as of 6/18/18. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny stay relief under 11 U.S.C. 362(d)(2) because moving papers admit that debtor has equity in the collateral, and thus, movant has failed to meet its burden of showing the lack of equity under 11 U.S.C. 362(g)(1). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Prior tentative ruling. Movant failed to provide a judge's copy of the moving papers with separately tabbed exhibits as required by LBR 5005-2(d). If movant provides the court with a properly tabbed judge's copy of the moving papers as required by the rules, grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny stay relief under 11 U.S.C. 362(d)(2) because moving papers admit that debtor has equity in the collateral, and thus, movant has failed to meet its burden of showing the lack of equity under 11 U.S.C. 362(g)(1). The 14-day waiting period under FRBP 4001(a)(3) is waived.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

10:30 AM

CONT... Lorenzo M Mora

Chapter 7

Appearances are required on 6/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Lorenzo M Mora

Represented By
Raymond Perez

Movant(s):

Partners Federal Credit Union

Represented By
Yuri Voronin

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

2:12-14433 Arkland Investment LLC

Chapter 7

Adv#: 2:17-01479 Kurtz v. SIXTH AND VIRGIL, LLC et al.

#11.00 Cont'd hearing re: Daniel Nieman's motion to dismiss claims of all Universal Bank and joinder in motion to dismiss of Park & Velayos LLP
fr. 4/3/18

Docket 77

***** VACATED *** REASON: Dismissed per stip & order entered on
5/22/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/18/18. Off calendar. Adversary proceeding dismissed by stipulation and order entered on 5/22/18. No appearances are required on 6/19/18.

Prior tentative ruling as of 4/2/18. Appearances are required on 4/3/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Arkland Investment LLC

Represented By
Jeremy Faith
Elizabeth Jiang

Defendant(s):

SIXTH AND VIRGIL, LLC et al.

Pro Se

Plaintiff(s):

Heidi Kurtz

Pro Se

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

2:12-14433 Arkland Investment LLC

Chapter 7

Adv#: 2:17-01479 Kurtz v. SIXTH AND VIRGIL, LLC et al.

#12.00 Cont'd status conference re: Second amended motion to amend judgment to add as judgment debtors Daniel Niemann, Park & Velayos, LLP and Mohammed Islam fr. 4/10/18

Docket 72

***** VACATED *** REASON: Dismissed per stip & order entered on 5/22/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/18/18. Off calendar. Adversary proceeding dismissed by stipulation and order entered on 5/22/18. No appearances are required on 6/19/18.

Prior tentative ruling. Continued by prior order to 6/19/18 at 1:30 p.m. No appearances are required on 4/10/18.

Party Information

Debtor(s):

Arkland Investment LLC

Represented By
Jeremy Faith
Elizabeth Jiang

Defendant(s):

SIXTH AND VIRGIL, LLC et al.

Pro Se

Plaintiff(s):

Heidi Kurtz

Pro Se

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

2:12-14433 Arkland Investment LLC

Chapter 7

Adv#: 2:17-01479 Kurtz v. SIXTH AND VIRGIL, LLC et al.

#13.00 Cont'd status conference re: Removal of action under 28 U.S.C. 1452 (Bankruptcy)
fr. 10/24/17, 1/16/18, 4/10/18

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on
5/22/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/18/18. Off calendar. Adversary proceeding dismissed by stipulation and order entered on 5/22/18. No appearances are required on 6/19/18.

Prior tentative ruling as of 4/9/18. Off calendar. Continued by prior order to 6/19/18 at 1:30 p.m. No appearances are required on 4/10/18.

Prior tentative ruling. The status conference will be conducted at 3:30 p.m. at the same time as the hearing on the motion to dismiss. No tentative ruling on the merits. Appearances are required at 3:30 p.m., but counsel may appear by telephone.

Party Information

Debtor(s):

Arkland Investment LLC

Represented By
Jeremy Faith
Elizabeth Jiang

Defendant(s):

SIXTH AND VIRGIL, LLC et al.

Pro Se

Plaintiff(s):

Heidi Kurtz

Pro Se

Trustee(s):

Heide Kurtz (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

CONT... Arkland Investment LLC

Chapter 7

Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01120 Ehrenberg v. Cosmetics Gallery, Inc. et al

#14.00 Status conference re: Complaint for the avoidance and recovery of fraudulent transfers

Docket 1

Tentative Ruling:

The court has reviewed the joint status report. Because the parties have not had their LBR 7026-1 conference and the adversary proceeding is not yet at issue since defendants have not answered the complaint, the court is inclined to continue the status conference until after the extended response date of 7/16/18 so that the responses to the complaint can be filed. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Cosmetics Gallery, Inc.

Pro Se

Srinivas Venkumahanti

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01121 Ehrenberg v. JYMK COSMETICS, INC. et al

#15.00 Status conference re: Complaint for the avoidance and recovery of fraudulent transfers

Docket 1

Tentative Ruling:

The court has reviewed plaintiff's unilateral status report. Because defendants have not responded to the complaint and plaintiff intends to request entry of their default, the court is inclined to continue the status conference for about 60 days so plaintiff can file a request for entry of default. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

JYMK COSMETICS, INC.

Pro Se

In One Corporation

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01122 Ehrenberg v. Perfumerie, Inc. et al

#16.00 Status conference re: Complaint for the avoidance and recovery of fraudulent transfers

Docket 1

Tentative Ruling:

The court has reviewed the joint status reports. Because the parties have not had their LBR 7026-1 conference, the court is inclined to continue the status conference for about 60 days so that the parties can conduct the conference and make initial discovery disclosures. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Perfumerie, Inc.

Pro Se

Puja Lachmandas

Pro Se

Parvez Syed

Pro Se

Rajkumari Aswani

Pro Se

Naintara Jiwnani

Pro Se

Archana Jiwnani

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01123 Ehrenberg v. Kolli

#17.00 Status conference re: Complaint for the avoidance and recovery of fraudulent transfers

Docket 1

Tentative Ruling:

The court has reviewed the joint status reports. Because the parties have not had their LBR 7026-1 conference, the court is inclined to continue the status conference for about 60 days so that the parties can conduct the conference and make initial discovery disclosures. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Raja Sekhar Kolli

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01124 Ehrenberg v. Chaparala

#18.00 Status conference re: Complaint for the avoidance and recovery of fraudulent transfers

Docket 1

Tentative Ruling:

The court has reviewed the joint status reports. Because the parties have not had their LBR 7026-1 conference, the court is inclined to continue the status conference for about 60 days so that the parties can conduct the conference and make initial discovery disclosures. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Rama Krishna Chaparala

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01125 Ehrenberg v. VC Sales and Services, LLC et al

#19.00 Status conference re: Complaint for the avoidance and recovery of fraudulent transfers

Docket 1

Tentative Ruling:

The court has reviewed the joint status report of some parties and the unilateral status report of defendant VC Sales and Services, LLC. Because the parties have not had their LBR 7026-1 conference and the adversary proceeding is not yet at issue since certain defendants have not answered the complaint and one defendant, VC Sales and Services, LLC, has not timely responded to the complaint (however, this defendant contends that service was not proper), the court is inclined to continue the status conference until after the extended response date of 7/16/18 so that the responses to the complaint can be filed by defendants who have extensions of time to respond to the complaint and that plaintiff can request entry of default against the defendant which has not timely responded to the complaint, or that defendant's motion to set aside default can be heard. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

VC Sales and Services, LLC

Pro Se

Raja Sekhar Vadlamudi

Pro Se

Ravik Chigurupati

Pro Se

Kavita Tummala

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

2:17-17972 Sion Javaheri

Chapter 7

Adv#: 2:18-01105 Krasnoff, Chapter 7 Trustee v. Javaheri et al

#20.00 Status conference re: Trustee's complaint: (1) to avoid and recover voidable transfer; and (2) for turnover

Docket 1

***** VACATED *** REASON: Cont'd from 6/19/18 to 7/17/18 at 1:30 p.m.
per stip & order entered on 5/15/18-mb.**

Tentative Ruling:

Off calendar. Contined by stipulation and order to 7/17/18 at 1:30 p.m. No appearances are required on 6/19/18.

Party Information

Debtor(s):

Sion Javaheri

Represented By
Edmond Nassirzadeh

Defendant(s):

Jilla Javaheri

Pro Se

Jilla Javaheri, Trustee of the Jilla H.

Pro Se

Plaintiff(s):

Brad D. Krasnoff, Chapter 7 Trustee

Represented By
Sonia Singh

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel
Sonia Singh

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01148 Shadsirat v. Zargar et al

#21.00 Status conference re: Removal of state court action
[28 U.S.C. §1452; Fed. R. Bankr. P. 9027]

Docket 1

***** VACATED *** REASON: Cont'd from 6/19/18 to 7/3/18 at 2:30 p.m.
per hearing held on 6/5/18-mb.**

Tentative Ruling:

Off calendar. Contined by stipulation and order to 7/3/18 at 1:30 p.m. No appearances are required on 6/19/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Shabnam Mesachi

Represented By
Ashley M McDow

National Cash Inc

Represented By
Raymond H. Aver

Mohammad Khajehmiraki

Represented By
Raymond H. Aver

Davan Investment Corp

Represented By
Raymond H. Aver

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

CONT... Shahriar Joseph Zargar

Chapter 11

Plaintiff(s):

Behrouz Shadsirat

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

1:30 PM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01149 Shadsirat v. Zargar

#22.00 Status conference re: Removal of state court action
[28 U.S.C. §1452; Fed. R. Bankr. P. 9027]

Docket 1

***** VACATED *** REASON: Cont'd from 6/19/18 to 7/3/18 at 2:30 p.m.
per hearing held on 6/5/18-mb.**

Tentative Ruling:

Off calendar. Contined by stipulation and order to 7/3/18 at 1:30 p.m. No appearances are required on 6/19/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez
Robert Gentino

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez
Adv#: 2:17-01147 Hinojos v. Martinez

Chapter 7

#22.10 Cont'd pretrial conference re: Complaint to determine dischargeability of debt fr. 11/14/17, 5/21/18, 6/5/18

Docket 1

***** VACATED *** REASON: Cont'd from 6/19/18 to 7/10/18 at 2:00 p.m.
per stip & order entered on 6/18/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Plaintiff(s):

Ezequiel Hinojos

Represented By
Thomas Spielbauer
Thomas Spielbauer

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01144 Alde Financial Group, LLC v. Martinez

#22.20 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
[11 U.S.C. §523(a)(2)(A)]
fr. 11/14/17, 5/22/18, 6/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. The court has reviewed the joint status report. Appearances are required on 11/14/17 to discuss the possibility of joint mediation, scheduling of further proceedings, including pretrial conference and trial, but counsel may appear by telephone. The consensus of the parties seems to be a discovery cutoff date of March 2018, i.e., March 31, 2018, a pretrial conference in April 2018, and a trial date in June 2018. The parties should be prepared to discuss how the case should be tried, given there are 6 sets of plaintiffs, and the length of trial, so that all parties have a full and fair opportunity to present their various cases. Perhaps it would be helpful to consider trying certain claims based on commonality of witnesses and facts, such as the particular type of investment vehicle involved. Defendant indicated an interest in mediation, but plaintiffs indicated no interest in mediation, and the court would like to hear from plaintiffs why mediation would not be helpful in resolving their claims, given that collectibility of defendant is probably an issue.

Prior tentative ruling. The court has reviewed the joint status report. Set a

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez Chapter 7

discovery cutoff date of 9/1/17 and a further postdiscovery status conference for 9/26/17 at 1:30 p.m. with a joint status report due on 9/19/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 9/26/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Alde Financial Group, LLC

Represented By
Timothy J Silverman

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01146 Karen Baird v. Martinez

#22.30 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
[11 U.S.C. §523(a)(2)(A)]
fr. 11/14/17, 5/22/18, 6/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 9/1/17 and a further postdiscovery status conference for 9/26/17 at 1:30 p.m. with a joint status report due on 9/19/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 9/26/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Karen Baird

Represented By
Timothy J Silverman

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01149 Van v. Martinez

#22.40 Cont'd pretrial conference re: Complaint for denial of discharge of debt
fr. 11/14/17, 5/22/18, 6/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the status reports filed by the parties. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Defendant(s):

Anthony Roy Martinez Pro Se

Plaintiff(s):

Sandy Van Pro Se

Trustee(s):

Wesley H Avery (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01157 Wideload Investments, LLC et al v. Martinez

#22.50 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
 [11 U.S.C. §523(a)(2)(A)]
 fr. 11/14/18, 5/22/18, 6/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Christian T Kim

Chapter 7

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Wideload Investments, LLC

Represented By
Ryan A. Ellis

Benjamin Rudnitsky

Represented By
Ryan A. Ellis

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01158 Carter et al v. Martinez

#22.60 Cont'd pretrial conference re: Complaint to except debt from discharge for willful and malicious injury and as money obtained under false pretenses; fraud [11 U.S.C. § 523 (a)2)(A) & (6)] fr. 11/14/17, 5/22/18, 6/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/19/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the unilateral status report filed by defendant. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Lance Carter

Represented By
Dana M Douglas

Jean Holmes

Represented By
Dana M Douglas

Carriage Estates LLC

Represented By
Dana M Douglas

Adamantine Investments LLC

Represented By
Dana M Douglas

Sterling Holdings LLC

Represented By
Dana M Douglas

Lance Carter IRA 419990

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:13-28497 Corona Care Convalescent Corporation and Dietitians of

Chapter 7

#23.00 Hearing re: Motion to approve compromise pursuant to FRBP 9019 with Raimon Mark Ferrer

Docket 628

Tentative Ruling:

Grant trustee's motion to approve compromise for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 6/19/18, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Trustee(s):

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell
Zev Shechtman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:13-28497 Corona Care Convalescent Corporation and Dietitians of

Chapter 7

#24.00 Hearing re: Motion to approve compromise pursuant to FRBP 9019 with Michael Ferrer

Docket 629

Tentative Ruling:

Grant trustee's motion to approve compromise for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 6/19/18, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Trustee(s):

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell
Zev Shechtman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:13-28497 Corona Care Convalescent Corporation and Dietitians of

Chapter 7

#25.00 Hearing re: Motion to approve compromise pursuant to FRBP 9019 with Miriam Ferrer

Docket 627

Tentative Ruling:

Grant trustee's motion to approve compromise for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 6/19/18, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Trustee(s):

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell
Zev Shechtman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#26.00 Hearing re: Motion for order requiring disgorgement of funds pursuant to 11 U.S.C. §329 and FRBP 2016 and 2017 and turnover of estate property under §542

Docket 1203

Tentative Ruling:

Revised tentative ruling as of 6/18/18 at 4:00 p.m. Grant trustee's motion for disgorgement as to Parker Mills LLP for the reasons stated in the moving papers and for lack of timely opposition. The motion as to Stabler and Associates, Inc., is continued by stipulation and order to 7/31/18 at 2:30 p.m. to be heard with the hearing on that party's pending fee application. The hearing on the motion as to Baker & Hostetler LLP is moot because that dispute has been resolved by stipulation and order. Appearances are required on 6/19/18 regarding the motion as to Parker Mills LLP only, but counsel may appear by telephone.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:16-13746 Ron Gerard Lohman

Chapter 7

#27.00 Hearing re: Chapter 7 Trustee's motion for authority (i) to compromise state court claims against Oakhurst Industries, Inc. (case nos. BC619694 and BC 643910); (ii) for authority to pay special litigation counsel's contingency's fee; and (iii) for authority to pay interim distribution to debtor

Docket 25

Tentative Ruling:

The state of the pleadings is confusing. The 9-page agreement to settle Case No. BC 619694 in Exhibit A to the motion has all signatures and appears to be complete. The 12-page agreement to settle Case No. BC 643910 in Exhibit B to the motion lacks the signatures of the settling parties, except the trustee, and may not be complete because page 12 of 12 is not included. Another version of the motion was filed on 6/12/18 with a hearing date and time of 7/10/18 at 2:30 p.m., but no notice of motion accompanied this version of the motion, and Exhibit B had the signatures of the settling parties, but lacked page 12 of 12. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Ron Gerard Lohman

Represented By
Michael Y Lo

Trustee(s):

Carolyn A Dye (TR)

Represented By
Kevin Mahoney
Paul John Denis

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:16-15374 Hugo Vazquez

Chapter 7

#28.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Howard M. Ehrenberg, Chapter 7 Trustee]

Docket 41

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 6/19/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Hugo Vazquez

Represented By
Michael H Colmenares

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jason Balitzer
SulmeyerKupetz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:16-15374 Hugo Vazquez

Chapter 7

#29.00 Hearing re: Application for fees and expenses
[SulmeyerKupetz, Attorney for Chapter 7 Trustee]

Docket 39

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 6/19/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Hugo Vazquez

Represented By
Michael H Colmenares

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jason Balitzer
SulmeyerKupetz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:16-15374 Hugo Vazquez

Chapter 7

#30.00 Hearing re: Application for fees and expenses
[Menchaca & Company LLP, Accountant for Chapter 7 Trustee]

Docket 38

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 6/19/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Hugo Vazquez

Represented By
Michael H Colmenares

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jason Balitzer
SulmeyerKupetz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:16-16503 Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01388 Phelps v. Bishop

#31.00 Hearing re: Motion to dismiss adversary complaint for failure to comply with court order

Docket 130

***** VACATED *** REASON: Denied per order entered on 6/14/18-mb.**

Tentative Ruling:

Off calendar. The court took the motion under submission on the papers and denied the motion to dismiss for lack of merit because of plaintiff's timely filing and service of her proposed findings of fact and conclusions of law as shown on the case docket. No appearances are required on 6/19/18.

Party Information

Debtor(s):

Reggie Lyn Bishop	Pro Se
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Defendant(s):

Reggie Lyn Bishop Sr	Pro Se
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Plaintiff(s):

Willie Mae Phelps	Represented By Frances M Campbell
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Trustee(s):

Timothy Yoo (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:16-18163 Anthony Curtis Wells

Chapter 7

#32.00 Cont'd hearing re: Motion for order compelling debtor to turn over possession of and vacate real property located at 6735 Yucca Street, Unit 410, Los Angeles, California fr. 12/12/17, 12/19/17, 1/16/18

Docket 92

Tentative Ruling:

Updated tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits. Appearances are required on 3/27/18, but counsel may appear by telephone.

No updated tentative ruling as of 1/12/18. Appearances are required on 1/16/18, but counsel may appear by telephone.

Prior tentative ruling. Grant trustee's motion for turnover of the subject property for the reasons stated in the moving papers since the subject property is property of the bankruptcy estate under the trustee's supervision pursuant to 11 U.S.C. 541(a) and 704(a). Debtor's arguments lack merit. To the extent that debtor seeks stay pending appeal of the state court judgment, it is not properly raised in the opposition, and it is not properly raised in this court since the appeal is pending in the state court system. Appearances are required on 12/12/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest
John Clark Brown Jr

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

CONT... Anthony Curtis Wells

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:16-18163 Anthony Curtis Wells

Chapter 7

Adv#: 2:16-01440 Diamond, Chapter 7 Trustee, Plaintiff v. Wells et al

- #33.00** Cont'd status conference re: Chapter 7 trustee's complaint: (1) for declaratory relief; (2) for turnover; (3) to avoid and recover fraudulent transfer; (4) imposition of a constructive trust; and (4) in the alternative, for sale of the entirety of real property pursuant to 11 U.S.C. §363(h) fr. 8/22/17, 12/12/17, 3/27/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits. Appearances are required on 3/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/21/17. No tentative ruling on the merits. Appearances are required on 8/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/17. No tentative ruling on the merits. Appearances are required on 5/9/17 to discuss the status of the related state court litigation in which entry of judgment was expected shortly as reported at the last status conference and the scheduling of further proceedings if judgment has not been entered and trustee is not yet prepared to dismiss this adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 2/27/17. The court notes that the parties failed to file a joint status report as required by LBR 7016-1. Appearances are required on 2/28/17 to discuss scheduling of further proceedings, but counsel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

CONT... **Anthony Curtis Wells**
may appear by telephone.

Chapter 7

Prior tentative ruling. The court has reviewed the joint status report and is inclined to stay the proceedings pending the trial in the related state court action starting on 1/10/17 and to set a further status conference afterwards on 1/31/17 at 1:30 p.m. Appearances are required on 1/29/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Anthony Curtis Wells

Pro Se

Sayun Wells

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Aaron E de Leest

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#34.00 Hearing re: Motion for order approving and directing reimbursement of legal expenses incurred by president of Swing House under 11 U.S.C. §§363(c)(1), 363(b)(1), & 503(b)

Docket 446

***** VACATED *** REASON: Motion is denied without prejudice per order entered on 6/14/18-mb.**

Tentative Ruling:

Off calendar. The court took the motion for compensation for reimbursement of expenses under submission on the papers and denied the motion without prejudice for insufficient notice due to lack of service on all creditors pursuant to FRBP 2002(a)(6), 9013 and 9104. No appearances are required on 6/19/18.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#35.00 Cont'd hearing re: Motion of defendant B & O Logistics to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 3/20/18, 5/1/18

Docket 8

Tentative Ruling:

Updated tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court agrees with defendants that actions to set aside fraudulent transfers of assets of a bankruptcy debtor belongs to the bankruptcy estate and may be the basis for a motion to dismiss because actions to collect upon assets of the estate are subject to the automatic stay and relief from stay has not been obtained by the plaintiffs. In re MortgageAmerica Corp., 714 F.2d 1266, 1275 (5th Cir. 1983); In re Curry & Sorenson, Inc., 57 B.R. 824, 827-828 (9th Cir. BAP 1986); but see, In re Colonial Realty Co., 980 F.2d 125, 130-132 (2nd Cir. 1992). As noted by plaintiffs, there is a division in circuit authority as to whether property of the bankruptcy estate includes property subject to a fraudulent transfer avoidance action is part of the bankruptcy estate before the avoidance action. See Peter Spero, *Fraudulent Transfers, Prebankruptcy Planning and Exemptions*, Section 3.3 (Westlaw online Sept. 2017 update), citing, In re MortgageAmerica Corp., supra; In re Colonial Realty Co., supra; Rajala v. Garner, 709 F.3d 1031 (10th Cir. 2013); In re Allen, 768 F.3d 274 (3rd Cir. 2014). There is no definitive case authority in the Ninth Circuit, though the Bankruptcy Appellate Panel of the Ninth Circuit has stated that a fraudulent transfer avoidance action to recover property fraudulently transferred by a bankruptcy debtor is an asset of the debtor's bankruptcy estate. In re Curry & Sorenson, Inc., supra. The court will follow the BAP rule in Curry &

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

CONT... Plain Leasing, Inc.

Chapter 11

Sorenson, Inc., as the current law of the Ninth Circuit.

Having said this, however, before the court rules on defendants' motions to dismiss, the court notes that plaintiffs could obtain authority of this court to allow them as parties other than the trustee or debtor-in-possession to pursue litigation on behalf of the estate (as opposed for themselves only). In re Curry & Sorenson, Inc., supra; In re Spauding Composites Co., 207 B.R. 899, 903 (9th Cir. BAP 1997). If plaintiffs are seeking to enforce their own interests as creditors, the court would thus grant the motions to dismiss, but if plaintiffs are seeking authorization from the court to pursue the litigation on behalf of the estate and its creditors, they should file and serve an appropriate motion, and the court would consider it subject to hearing from other interested parties.

Deny request for an order to show cause and/or sanctions for violation of stay since the stay is not intended to protect non debtor parties. 11 U.S.C. 362(a); see also, Ingersoll-Rand Financial Corp. v. Miller Mining Co., 817 F.2d 1424, 1427 (9th Cir. 1987). Moreover, it would be difficult to show civil contempt here that plaintiffs willfully violated a specific and definite order of the court by clear and convincing evidence, see, e.g., In re Dyer, 322 F.3d 1178, 1190-1191 (9th Cir. 2003), in bringing the fraudulent transfer action against defendants, given the uncertainty of the law as indicated by the lack of definitive case authority in the Ninth Circuit and otherwise divided circuit authority on the question of whether a fraudulently transferred property before avoidance is property of a debtor's bankruptcy estate circuit.

Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

CONT... Plain Leasing, Inc.

Chapter 11

	Gregory S Kim
Sam Kim	Represented By Gregory S Kim
Yoon Lee	Represented By Gregory S Kim
Chang Won Choi	Represented By Gregory S Kim
Joon Rhee	Represented By Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.	Represented By Caroline Djang
Ji Kun Lim	Represented By Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#36.00 Cont'd hearing re: Motion of defendant Ji Kun Lim's to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 3/20/18, 5/1/18

Docket 13

Tentative Ruling:

See tentative ruling for matter number 35.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

CONT... Plain Leasing, Inc.

Chapter 11

Movant(s):

Ji Kun Lim

Represented By
Mette H Kurth

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#37.00 Hearing re: Motion for authority to prosecute claims on behalf of the bankruptcy estate

Docket 43

Tentative Ruling:

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

CONT... Plain Leasing, Inc.
Ji Kun Lim

Represented By
Mette H Kurth

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#38.00 Hearing re: Joint motion of defendants and debtor to stay adversary proceeding and related deadlines and hearings

Docket 44

Tentative Ruling:

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

CONT... Plain Leasing, Inc.

Chapter 11

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#39.00 Cont'd status conference re: Removal of state court action to the United States Bankruptcy Court, Central District, Los Angeles Division
fr. 4/3/18, 5/1/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/18/18. No tentative ruling on the merits.
Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court continues the status conference on its own motion to 5/1/18 at 3:00 p.m. to be conducted with the further hearings on defendants' motion to dismiss and in light of plaintiffs' consideration of filing a motion for authorization to prosecute the fraudulent transfer claims on behalf of the estate. No appearances are required on 4/3/18.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Pro Se

Michael Beom Lee

Pro Se

Sam Kim

Pro Se

Yoon Lee

Pro Se

Chang Won Choi

Pro Se

Joon Rhee

Pro Se

Plaintiff(s):

B&O Logistics, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

CONT... Plain Leasing, Inc.

Chapter 11

Caroline Djang

Ji Kun Lim

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#40.00 Hearing re: Chapter 7 trustee's motion to extend deadline to commence action under 11 U.S.C. § 727

Docket 232

Tentative Ruling:

Grant trustee's motion to extend deadline to commence action under 11 U.S.C. 727 for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Eugen Valentin Dietl

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Aram Ordubegian
Annie Y Stoops
M Douglas Flahaut

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

#41.00 Hearing re: Motion for an order compelling turnover of property of the estate

Docket 238

Tentative Ruling:

Deny debtor's motion for turnover because debtor has not sought turnover by adversary proceeding against nondebtor third parties as required by Federal Rule of Bankruptcy Procedure 7001(1). Denial is without prejudice. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#42.00 Hearing re: Motion of Second Generation, Inc. for order converting the case to chapter 7 or, in the alternative, directing the appointment of a chapter 11 trustee

Docket 105

Tentative Ruling:

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#42.10 Cont'd hearing re: Order to show cause why case should not be dismissed under Local Bankruptcy Rule 9011-2(a) fr. 4/18/18, 6/6/18

Docket 82

Tentative Ruling:

Updated tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Off calendar. The court on its own motion continues the hearing to be conducted with the hearing on the motion of creditor Second Generation, Inc., to convert the case to Chapter 7 on 6/19/18 at 2:30 p.m. No appearances are required on 6/6/18.

No tentative ruling as of 4/16/18. Appearances are required on 4/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By

John-Patrick M Fritz

Ryan D ODea

Leonard M Shulman

Shulman Hodges & Bastian LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

2:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#42.20 Cont'd status conference re: Management of chapter 11 case
fr. 4/25/18, 4/18/18, 6/6/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Off calendar. The court on its own motion continues the status conference to be conducted with the hearing on the motion of creditor Second Generation, Inc., to convert the case to Chapter 7 on 6/19/18 at 2:30 p.m. No appearances are required on 6/6/18.

Prior tentative ruling as of 4/17/18. Off calendar. Status conference advanced to 4/18/18 at 11:00 a.m. by prior order. No appearances are required on 4/25/18.

Prior tentative ruling as of 1/12/18. Appearances are required on 1/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
David B Golubchik
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

3:00 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#43.00 Cont'd hearing re: Motion of defendant Ji Kun Lim's to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 3/20/18, 5/1/18

Docket 13

***** VACATED *** REASON: Matter advanced to 2:30 p.m. from 3:00 p.m. per notice filed on 5/29/18-mb.**

Tentative Ruling:

The matter is advanced to the 2:30 p.m. calendar. Appearances are required at 2:30 p.m.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

3:00 PM

CONT... Plain Leasing, Inc.

Chapter 11

Joon Rhee

Represented By
Gregory S Kim

Movant(s):

Ji Kun Lim

Represented By
Mette H Kurth

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

3:00 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#44.00 Cont'd status conference re: Removal of state court action to the United States Bankruptcy Court, Central District, Los Angeles Division
fr. 4/3/18, 5/1/18

Docket 1

***** VACATED *** REASON: Matter advanced to 2:30 p.m. from 3:00 p.m. per notice filed on 5/29/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/18/18. The matter is advanced to the 2:30 p.m. calendar. Appearances are required at 2:30 p.m.

Prior tentative ruling. The court continues the status conference on its own motion to 5/1/18 at 3:00 p.m. to be conducted with the further hearings on defendants' motion to dismiss and in light of plaintiffs' consideration of filing a motion for authorization to prosecute the fraudulent transfer claims on behalf of the estate. No appearances are required on 4/3/18.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Pro Se

Michael Beom Lee

Pro Se

Sam Kim

Pro Se

Yoon Lee

Pro Se

Chang Won Choi

Pro Se

Joon Rhee

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

3:00 PM

CONT... Plain Leasing, Inc.

Chapter 11

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

3:00 PM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#45.00 Cont'd hearing re: Motion of defendant B & O Logistics to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 3/20/18, 5/1/18

Docket 8

***** VACATED *** REASON: Matter advanced to 2:30 p.m. from 3:00 p.m. per notice filed on 5/29/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/18/18. The matter is advanced to the 2:30 p.m. calendar. Appearances are required at 2:30 p.m.

Prior tentative ruling. The court agrees with defendants that actions to set aside fraudulent transfers of assets of a bankruptcy debtor belongs to the bankruptcy estate and may be the basis for a motion to dismiss because actions to collect upon assets of the estate are subject to the automatic stay and relief from stay has not been obtained by the plaintiffs. In re MortgageAmerica Corp., 714 F.2d 1266, 1275 (5th Cir. 1983); In re Curry & Sorenson, Inc., 57 B.R. 824, 827-828 (9th Cir. BAP 1986); but see, In re Colonial Realty Co., 980 F.2d 125, 130-132 (2nd Cir. 1992). As noted by plaintiffs, there is a division in circuit authority as to whether property of the bankruptcy estate includes property subject to a fraudulent transfer avoidance action is part of the bankruptcy estate before the avoidance action. See Peter Spero, Fraudulent Transfers, Prebankruptcy Planning and Exemptions, Section 3.3 (Westlaw online Sept. 2017 update), citing, In re MortgageAmerica Corp., supra; In re Colonial Realty Co., supra; Rajala v. Garner, 709 F.3d 1031 (10th Cir. 2013); In re Allen, 768 F.3d 274 (3rd Cir. 2014). There is no definitive case authority in the Ninth Circuit, though the Bankruptcy Appellate Panel of the Ninth Circuit has stated that a fraudulent transfer avoidance action to recover property fraudulently transferred by a

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

3:00 PM

CONT...

Plain Leasing, Inc.

Chapter 11

bankruptcy debtor is an asset of the debtor's bankruptcy estate. In re Curry & Sorenson, Inc., supra. The court will follow the BAP rule in Curry & Sorenson, Inc., as the current law of the Ninth Circuit.

Having said this, however, before the court rules on defendants' motions to dismiss, the court notes that plaintiffs could obtain authority of this court to allow them as parties other than the trustee or debtor-in-possession to pursue litigation on behalf of the estate (as opposed for themselves only). In re Curry & Sorenson, Inc., supra; In re Spauding Composites Co., 207 B.R. 899, 903 (9th Cir. BAP 1997). If plaintiffs are seeking to enforce their own interests as creditors, the court would thus grant the motions to dismiss, but if plaintiffs are seeking authorization from the court to pursue the litigation on behalf of the estate and its creditors, they should file and serve an appropriate motion, and the court would consider it subject to hearing from other interested parties.

Deny request for an order to show cause and/or sanctions for violation of stay since the stay is not intended to protect non debtor parties. 11 U.S.C. 362(a); see also, Ingersoll-Rand Financial Corp. v. Miller Mining Co., 817 F.2d 1424, 1427 (9th Cir. 1987). Moreover, it would be difficult to show civil contempt here that plaintiffs willfully violated a specific and definite order of the court by clear and convincing evidence, see, e.g., In re Dyer, 322 F.3d 1178, 1190-1191 (9th Cir. 2003), in bringing the fraudulent transfer action against defendants, given the uncertainty of the law as indicated by the lack of definitive case authority in the Ninth Circuit and otherwise divided circuit authority on the question of whether a fraudulently transferred property before avoidance is property of a debtor's bankruptcy estate circuit.

Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 19, 2018

Hearing Room 1675

3:00 PM

CONT... Plain Leasing, Inc.

Chapter 11

Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(U.S. Bank National Association VS Debtor)

Docket 495

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny the request for extraordinary relief in paragraph 3 since the debtor is not the borrower under the relevant loan agreements. The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

10:30 AM

2:17-22183 1060 Palms, LLC

Chapter 11

#2.00 Hearing re: Motion for relief from stay
(Philip W. Saunders VS Debtor)

Docket 36

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) for cause to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny relief from stay pursuant to 11 U.S.C. 362(d)(2) for failure to meet burden of showing lack of equity since valuation evidence in the preliminary title report is inadmissible hearsay and lacks sufficient foundation under FRE 801 and 901 and failure to provide other supporting evidence of valuation (various references to proofs of claim and "title" but no documents). Deny relief from stay pursuant to 11 U.S.C. 362(d)(3) for lack of showing that requirements of that provision are met (i.e., debtor did not check off box on the petition admitting single asset real estate entity status, and it has not been shown that the court has made a determination of SARE status). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Appearances are required on 6/26/18, but counsel may appear by telephone.

Party Information

Debtor(s):

1060 Palms, LLC

Represented By
Moises S Bardavid

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

10:30 AM

2:18-11306 Salvador Alejandro

Chapter 7

#3.00 Cont'd hearing re: Motion for relief from stay
(Kinecta Federal Credit Union VS Debtor)
fr. 5/8/18, 5/29/18, 6/5/18

Docket 10

Tentative Ruling:

Revised tentative ruling as of 6/25/18. Despite filing an amended proof of service of the moving papers, movant has still not filed a proof of service of an amended notice of motion to debtor, advising debtor that the date and time of the hearing on the motion and the deadline for response as required by Local Bankruptcy Rule 9013-1(c)(2) and (d)(1) and (2). If movant cannot show that debtor has been served with a proper amended notice of motion for this hearing, deny motion without prejudice. Appearances are required on 6/26/18, but counsel may appear by telephone.

Tentative ruling as of 6/4/18. It does not appear that an amended notice of motion was filed and served on debtor personally. The proof of service itself is not an amended notice of motion, so it appears that service of the motion is still deficient. Appearances are required on 6/5/18, but counsel may appear by telephone.

Prior tentative ruling. Service of the motion is deficient since as indicated on the proof of service to the motion, there was no service on debtor required under LBR 4001-1(c)(1)(C)(i) which requires service not just on debtor's attorney, but debtor himself. Movant also failed to provide a judge's copy of the moving papers with separately tabbed exhibits as required by LBR 5005-2(d). Appearances are required on 5/8/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Salvador Alejandro

Represented By
Carlos A Delgado Ibarcena

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

10:30 AM

CONT... Salvador Alejandro

Chapter 7

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

10:30 AM

2:18-13437 Robert Whitfield

Chapter 7

#4.00 Hearing re: Motion in individual case for order imposing a stay or continuing the automatic stay as the court deems appropriate

Docket 31

Tentative Ruling:

Deny debtor's motion to reimpose the automatic stay because this would be vacating the court's final order granting creditor relief from the automatic stay, which the court lacks jurisdiction to do now because the order granting relief from stay is currently on appeal. Appearances are required on 6/26/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Robert Whitfield	Pro Se
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Trustee(s):

Timothy Yoo (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

10:30 AM

2:18-14190 Melissa Rae Lloyd

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Nissan Motor Acceptance Corporation VS Debtor)

Docket 12

Tentative Ruling:

Deny motion for stay relief because movant has not provided sufficient evidence of standing to seek stay relief since the so-called certificate of title is not what it purports to be as a third party non-governmental report, and not a government issued certificate of title. The report lacks evidentiary foundation. FRE 602, 901 and 902. The security agreement does not list movant on title either. Appearances are required on 6/26/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Party Information

Debtor(s):

Melissa Rae Lloyd	Pro Se
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Trustee(s):

Carolyn A Dye (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

10:30 AM

2:18-12964 Placemark Properties LLC

Chapter 7

#5.10 Hearing re: Emergency motion to access property for the limited purpose of abating a public nuisance

**(Property located at 49340 Sunrose Lane,
Palm Desert, CA – APN 655-290-015)**

Docket 51

Tentative Ruling:

No tentative ruling will be issued for the motion heard on shortened notice.
Appearances are required on 6/26/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Placemark Properties LLC	Pro Se
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Trustee(s):

Howard M Ehrenberg (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

11:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#5.20 Cont'd status conference re: Post confirmation of plan
fr. 5/16/18, 5/31/18, 6/14/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/26/18, but counsel may appear by telephone.

No updated tentative ruling as of 6/14/18. Appearances are required on
6/14/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/25/18. No tentative ruling will be issued for
the evidentiary hearing on plan confirmation. Appearances are required on
5/31/18.

No updated tentative ruling as of 4/23/18. Appearances are required on
4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on
4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on
4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on
3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

11:00 AM

CONT... Swing House Rehearsal and Recording, Inc.

Chapter 11

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

2:12-30028 MEHRDAD TAHERIPOUR

Chapter 7

Adv#: 2:13-01443 Gill v. Nexgen Energy Holdings PCC

#6.00 Cont'd status conference re: Trustee's complaint to avoid and recover for fraudulent transfer; and for preliminary injunctions fr. 1/30/18, 3/27/18, 4/24/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/25/18. Off calendar. Default judgment entered. No appearances are required on 6/26/18.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits. Appearances are required on 3/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/17. Off calendar. The court has reviewed plaintiff's unilateral status report and noted that the docket reflects that default has been entered against defendant Shetabi on the third amended complaint. The court on its own motion continues the status conference for about 60 days to 3/27/18 at 1:30 p.m. to allow time for plaintiff to file a renewed motion for entry of default judgment. No appearances are required on 1/30/18.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 9/25/17. No tentative ruling on the merits. Appearances are required on 9/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/5/17. The court has reviewed trustee's unilateral status report. No tentative ruling on the merits. Appearances are required on 6/6/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/7/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits. Appearances are required on 1/10/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/16. The parties in their joint status report indicated that they had an interest in mediation. Perhaps the parties can consider and discuss the possibility to refer the matter first to mediation before proceeding with full-blown litigation of the remaining claims. Appearances are required on 10/11/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/2/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/6/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 6/20/16. The court has reviewed the joint status report of some of the parties appearing in this matter, including the attached statement of the Burris Parties, as well as the separate status statement of Eric Herrera.

The court also notes the parties used an obsolete version of the Joint Status Report form from December 2012, and in the future, the parties should use the current version of the form adopted in December 2015. The new joint status report form solicits the parties' positions as to whether they consent to the bankruptcy court's determination of noncore claims in light of *Stern v. Marshall*, 131 S.Ct. 2594 (2011), *Executive Benefits Insurance Agency v. Arkison*, 134 S.Ct. 2165 (2014) and *Wellness International Network, Ltd. v. Sharif*, 135 S.Ct. 1932 (2015). If consent of all parties is given, the bankruptcy court will enter a final judgment, but if consent of all parties is not given, then the court will issue proposed findings of fact and conclusions of law for de novo review by the district court. *Id.*

Appearances are required on 6/21/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

Prior tentative ruling as of 12/8/2014. Off calendar. The court has issued an order vacating the hearings and taking the matters under submission.

Revised tentative ruling as of 12/2/14. Off calendar. The court continues the status conference on its motion to 12/9/14 at 2:00 p.m. due to congestion on the court's calendar, its continuing deliberation on the various dismissal motions. and the inclement weather today. No appearances are required on 12/2/14.

Prior tentative ruling as of 12/1/14. No tentative ruling. Appearances are required on 12/2/14. Counsel may appear telephonically.

Prior tentative ruling as of 11/24/14. Off calendar. The status conference is continued on the court's own motion to 12/2/14 at 3:30 p.m. in light of the continuances of the pending motions to dismiss. No appearances are required on 11/25/14.

Tentative ruling as of 11/17/14. Off calendar, continued to 11/25/14 at 3:30 p.m. by order entered 11/17/14. Appearances are not required on 11/18/14.

Updated tentative ruling as of 8/25/14. Off calendar. The court on its own motion continues the status conference to 9/23/14 at 2:30 p.m. to be conducted with the hearings on the defendants' motions to dismiss the third amended complaint. No appearances are required on 8/26/14

Prior tentative ruling as of 7/28/14. Off calendar. The court has reviewed the appearing parties' status report and continues the status conference to 8/26/14 at 1:30 p.m. in light of the dismissal of the second amended complaint and the time for filing and serving a third amended complaint has not expired. No appearances are required on 7/29/14

Prior tentative ruling as of 6/2/14. Off calendar. The court has reviewed the appearing parties' status report and continues the status conference to 7/29/14 at 1:30 p.m. in light of the pending motions of several defendants to dismiss to be heard on 6/17/14 and 7/8/14 and in light of plaintiff's continuing efforts to effect service of process on other defendants. No appearances are

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

required on 6/3/14

Prior tentative ruling as of 1/13/14. Off calendar. To be heard at 3:00 p.m. calendar with plaintiff's motion to file amended complaint. Appearances are required on 3:00 p.m. calendar, not at 1:30 p.m..

No updated tentative ruling as of 11/25/13. Appearances are required on 11/26/13, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Appearances are required on 10/15/13 to discuss scheduling and the status of mediation since the parties do not agree. Since the parties intend to bring cross-motions for summary judgment, the court request the parties to discuss and consider trying the case on stipulated facts in lieu of cross-motions for summary judgment.

Prior tentative ruling The court has reviewed the joint status report. Appearances are required on 6/11/13 to discuss scheduling and mediation since the parties do not agree.

Party Information

Debtor(s):

MEHRDAD TAHERIPOUR

Represented By
Alan F Broidy

Defendant(s):

Nexgen Energy Holdings PCC

Pro Se

Plaintiff(s):

DAVID Gill

Represented By
Nathan D Meyer

Trustee(s):

David A Gill (TR)

Pro Se

David A Gill (TR)

Represented By
David A Gill (TR)

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

CONT... MEHRDAD TAHERIPOUR

Chapter 7

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

Adv#: 2:15-01680

THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#7.00 Cont'd status conference re: Complaint for: (1) Disallowance of scheduled claim of Douglas Christmas pursuant to 11 U.S.C. §502(b)(1); (2) Disallowance of scheduled claim of Douglas Christmas pursuant to 11 U.S.C. §502(d); (3) Disallowance of scheduled claim of Jennifer Kellen pursuant to 11 U.S.C. §502(b)(1); (4) Disallowance of scheduled claim of Jennifer Kellen pursuant to 11 U.S.C. §502(d); (5) Equitable subordination of scheduled claims of Douglas Christmas and Jennifer Kellen pursuant to 11 U.S.C §510(c); (6) For recharacterization of scheduled unsecured claims; (7) For avoidance of preferential transfers pursuant to 11 U.S.C. §§547 and 550; (8) For avoidance of preferential transfers pursuant to 11 U.S.C. §§547 and 550; (9) For avoidance of fraudulent transfers pursuant to 11 U.S.C. §§548(a)(1)(A) and 550; (10) For avoidance of fraudulent transfers pursuant to 11 U.S.C. §§548(a)(1)(B) and 550; (11) For avoidance of fraudulent conveyances pursuant to 11 U.S.C. §§544 and 550, and Cal. Civ. Code §3439.04(a)(1); and (12) For avoidance of fraudulent conveyances pursuant to 11 U.S.C. §§544 and 550, and Cal. Civ. Code §3439.04(a)(2)
fr. 4/26/17, 5/17/17, 7/25/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/25/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/26/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Updated tentative ruling as of 1/9/17. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

CONT... **Art and Architecture Books of the 21st Century**
12/13/16, but counsel may appear by telephone.

Chapter 11

Updated tentative ruling as of 9/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings in light of the anticipated motion to consolidate related actions, but counsel may appear by telephone.

Prior tentative ruling as of 6/20/16. No tentative ruling on the merits. Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/25/16. Off calendar. The court has reviewed plan agent's unilateral status report stating that the deadline for defendant's response was extended to 4/29/16 and that the matter is not yet at issue, and the court on its own motion continues the status conference to 6/21/16 at 1:30 p.m. pending defendant's response to the complaint. No appearances are required on 4/26/16.

No tentative ruling as of 2/22/16. Appearances are required on 2/23/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Ron Bender
Beth Ann R Young
Krikor J Meshefejian
Kurt Ramlo
David W. Meadows

Defendant(s):

Douglas James Christmas

Pro Se

Jennifer Kellen

Pro Se

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

**CONT... Art and Architecture Books of the 21st Century
Victor A Sahn**

Chapter 11

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

2:17-15730 Rossby Ruiz

Chapter 7

Adv#: 2:18-01111 Reynoza-Fonseca v. Ruiz

#8.00 Status conference re: Declaratory relief

Docket 1

Tentative Ruling:

The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/26/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rosby Ruiz

Represented By
Freddie V Vega
David J Richardson

Defendant(s):

Rosby Ruiz

Pro Se

Plaintiff(s):

Ageda Reynoza-Fonseca

Represented By
Steven J Shapero

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

2:17-17642 Amber Andersen

Chapter 7

Adv#: 2:17-01523 Andersen v. Navient Solutions LLC

#9.00 Cont'd status conference re: Complaint to determine dischargeability of student loans fr. DS, 1/23/18, 2/6/18, 3/20/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/25/18. The court has reviewed the joint status report. Set a discovery cutoff date of 8/31/18. The court will discuss with the parties the need for a pretrial conference and a cutoff date for a summary judgment hearing. If the parties can work cooperatively on their witness and exhibit lists, given the relatively few exhibits and witnesses, a pretrial conference may not be necessary. It seems to the court that it would be easier just to try the case and set a date since summary judgment motion proceedings may delay setting of trial. Appearances are required on 6/26/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. Off calendar. Continued on the court's own motion to 3/20/18 at 2:30 p.m. No appearances are required on 2/6/18.

Prior tentative ruling. Continued ;by stipulation and order to 2/6/18 at 2:30 p.m. No appearances are required on 1/23/18.

Party Information

Debtor(s):

Amber Andersen

Represented By
John D Faucher

Defendant(s):

Navient Solutions LLC

Represented By
Robert S Lampl

Plaintiff(s):

Amber Andersen

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

CONT... Amber Andersen

John D Faucher

Chapter 7

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

2:17-24369 Marvin Abel Sican Roca

Chapter 7

Adv#: 2:18-01047 Wesley H. Avery, Chapter 7 Trustee of the Bankrupt v. Sican Roca et al

#10.00 Cont'd status conference re: Trustee's complaint for: (1-3) avoidance of fraudulent transfer; (4) recovery of avoided transfer; (5) a declaratory judgment quieting title to real property; (6) imposition of a constructive trust; (7) accounting; (8) turnover; (9) injunctive relief; (10) sale of a property in which a non-debtor asserts an interest; and (11) denial of discharge
fr. 4/17/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/26/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Appearances are required on 4/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Marvin Abel Sican Roca	Represented By Daniel King
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Defendant(s):

Marvin Abel Sican Roca	Pro Se
Angelica Maria Rodriguez	Pro Se
Oscar L. Sican	Pro Se
Angelica Sican Martinez	Pro Se
Bayview Loan Servicing, LLC.	Pro Se

Joint Debtor(s):

Angelica Maria Rodriguez	Represented By Daniel King
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

CONT... Marvin Abel Sican Roca

Chapter 7

Plaintiff(s):

Wesley H. Avery, Chapter 7 Trustee

Represented By
Zi Chao Lin
Adjoa Anim-Appiah

Trustee(s):

Wesley H Avery (TR)

Represented By
Zi Chao Lin

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

2:18-10764 Kevin Gregory Farrell

Chapter 7

Adv#: 2:18-01118 First National Bank Of Omaha v. Farrell

#11.00 Status conference re: Complaint seeking exception to discharge pursuant to 11 U.S.C. § 523(a)(2)(C) and/or §523(a)(2)(A)

Docket 1

***** VACATED *** REASON: Judgment entered on 6/6/18-mb.**

Tentative Ruling:

Off calendar. Judgment entered. No appearances are necessary.

Party Information

Debtor(s):

Kevin Gregory Farrell

Represented By
Jeffrey N Wishman

Defendant(s):

Kevin Gregory Farrell

Pro Se

Plaintiff(s):

First National Bank Of Omaha

Represented By
Cory Email
Cory J Rooney

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

1:30 PM

2:18-15910 Ora D Jones Trust

Chapter 7

#12.00 Status conference re: Involuntary petition

Docket 1

Tentative Ruling:

No tentative ruling as of 6/25/18. Appearances are required on 6/26/18.

Party Information

Debtor(s):

Ora D Jones Trust

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

2:00 PM

2:15-10768 Brian J Cook

Chapter 7

Adv#: 2:15-01323 Franowicz et al v. Cook et al

#13.00 Cont'd pretrial conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(2) fr. 8/8/17, 10/17/17, 12/12/17, 4/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/26/18.

Prior tentative ruling as of 4/9/18. The court has reviewed the joint pretrial stipulation, and after its review, the court is of the opinion that the matter is not ready for trial. The parties have indicated that expert discovery has not been completed. Plaintiffs have stated that they will call expert witnesses at trial, and defendant reserved his right to do so. The court believes that the parties should disclose the identity of their expert witnesses and be required for such expert witnesses to produce their expert reports, and a deposition schedule be set. As to evidentiary objections to exhibits, the parties have each stated that they reserve all objections to some exhibits, which is not permitted by the court's rules and procedures, and the court will disregard the reservation of rights to object, which means that the parties asserting an objection must state specific grounds for an objection or the objections based on reservations of rights will be overruled, and such exhibits will be received into evidence. The court will allow parties some time to interpose objections based on specific grounds as to those exhibits. As to presentation of deposition testimony, plaintiffs state that they will object to the use of deposition testimony of plaintiffs, but do not state a reason. It appears to the court that the parties should mark and countermark deposition transcripts in accordance with the court's local rules and the parties can interpose objections to admission of deposition testimony at that time. In the joint pretrial stipulation, defendant stated that the trial should be bifurcated to first determine the existence of a debt and then determine whether such debt is dischargeable, but plaintiffs stated no position as to bifurcation. The court is

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

2:00 PM

CONT...

Brian J Cook

Chapter 7

not inclined to bifurcate the trial since there is no apparent benefit to the court or the parties by doing so, but plaintiffs will need to state their position on the issue. The parties should be prepared to discuss scheduling of expert discovery, submission of an amended joint pretrial stipulation and dates for a further pretrial conference. Appearances are required on 4/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 10/16/17. Appearances are required on 10/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 8/7/17. The court has reviewed plaintiffs' status report stating that they intend to proceed with prosecution of the adversary complaint. According to the status report, plaintiffs seek specified damages of \$32,018.06 for rent and settlement costs, plus an unspecified amount of damages for attorneys' fees they have incurred. Plaintiffs should be prepared to disclose: (1) the amount of attorneys' fees that they incurred and are seeking an award and (2) the substantive legal basis for an award of attorneys' fees because none was alleged in the complaint or specified in the purchase and sale agreement for the subject property (preliminarily, the court is of the view that the attorneys' fees clause in the lease agreement would not apply since the alleged fraud was with the purchase and sale agreement). Appearances are required on 8/8/17 to discuss scheduling of further proceedings, including pretrial conference and trial, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. The court has reviewed the joint pretrial stipulation. No tentative ruling on the merits. The court will discuss the issues raised in the joint pretrial stipulation regarding the effect of the approval of the settlement between trustee and the Franowicz/Gallagher parties. Appearances are required on 6/27/17.

Prior tentative ruling as of 5/26/17. Off calendar. Continued to 6/27/17 at 2:00 p.m. as stated orally at a hearing on trustee's motion to approve

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

2:00 PM

CONT...

Brian J Cook

Chapter 7

settlement with Franowicz/Gallagher parties in the main bankruptcy case on 5/15/17. No appearances are required on 5/30/17.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/13/17. The court has reviewed the joint status report. Appearances are required on 1/17/17 to discuss scheduling of further proceedings, including a pretrial conference.

Prior tentative ruling as of 5/27/16. Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 9/30/16 and to complete mediation by 1/17/17. Appearances are required on 5/31/16, but counsel may appear by telephone. Plaintiffs to submit a proposed scheduling order within 7 days of hearing.

Prior tentative ruling as of 2/22/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 2/24/16 to address scheduling and referral to mediation, but counsel may appear by telephone.

Prior tentative ruling as of 12/14/15. Treat as contested matter under FRBP 9014. No tentative ruling on the merits. Appearances are required on 12/16/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 11/23/15. Off calendar. This matter is trailed with the pretrial conference on creditors' motion to dismiss the bankruptcy case and debtors' motion to reject executory contract, which have been continued by stipulation and order to 12/15/15 at 2:00 p.m. No appearances are required on 11/24/15.

Prior tentative ruling as of 10/9/15. Off calendar. Continued to 11/24/15 at 2:00 p.m. on the court's own motion at a hearing in the bankruptcy case on 10/6/15. No appearances are required on 10/13/15.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

2:00 PM

CONT... Brian J Cook

Chapter 7

Prior tentative ruling. The court has reviewed the joint status report requesting that the status conference be continued until after the evidentiary hearing on creditors' motion to dismiss the underlying bankruptcy case is conducted. Appearances are required on 8/25/15 to discuss scheduling, but counsel may appear by telephone.

Party Information

Debtor(s):

Brian J Cook

Represented By
Rex Tran

Defendant(s):

Brian J Cook

Represented By
Rex Tran

Victoria Velasquez Cook

Represented By
Andrew Goodman
Rex Tran

Interested Party(s):

Courtesy NEF

Represented By
Theresa J Macellaro

Joint Debtor(s):

Victoria Velasquez Cook

Represented By
Andrew Goodman
Yi S Kim
Robert D Bass
Rex Tran

Plaintiff(s):

Edward Franowicz

Represented By
James Andrew Hinds Jr
Brian Barouir Yeretzian
Paul R Shankman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

2:00 PM

CONT... **Brian J Cook**
Larissa Gallagher

Chapter 7

Represented By
James Andrew Hinds Jr
Brian Barouir Yeretzian
Paul R Shankman

Trustee(s):

Heide Kurtz (TR)

Represented By
Lei Lei Wang Ekvall

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

2:30 PM

2:13-31929 Eleonso Bucio

Chapter 7

Adv#: 2:14-01367 Pentagon Federal Credit Union v. Bucio

#14.00 Hearing re: Motion in support of opposition to claim of exemption

Docket 23

Tentative Ruling:

No tentative ruling as of 6/25/18. The procedural posture in this matter is unclear since the debtor's claim of exemption disputed by movant is not included in the moving papers, and debtor has not filed any response to the motion. Movant is asking the court to reconsider the amount of exemption that debtor is claiming on his claim of exemption, which is not apparently in the record. Appearances are required on 6/26/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedure posted online on the court's website.

Party Information

Debtor(s):

Eleonso Bucio

Represented By
Marlin Branstetter

Defendant(s):

Eleonso Bucio

Pro Se

Plaintiff(s):

Pentagon Federal Credit Union

Represented By
A. Lysa Simon
A. Lysa Simon

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#15.00 Hearing re: Motion of Navigators Specialty Insurance Company for allowance and payment of administrative expense claim

Docket 1209

Tentative Ruling:

Treat as a contested matter under FRBP 9014 because there are material issues of fact for trial regarding whether movant has made a substantial contribution, which is disputed by other parties. The parties should meet and confer regarding their pretrial needs and a proposed pretrial and trial schedule. Appearances are required on 6/26/18 to discuss scheduling of pretrial and trial proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#16.00 Hearing re: Motion to allow and pay administrative expense claims

Docket 453

***** VACATED *** REASON: Cont'd from 6/26/18 to 7/31/18 at 2:30 p.m.
per order entered on 6/11/18-mb.**

Tentative Ruling:

Off calendar. Continued to 7/31/18 at 2:30 p.m. by order entered on 6/11/18.
No appearances are required on 6/26/18.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

2:30 PM

2:17-19753 Luiz Alberto Avila and Claudia Ramirez

Chapter 7

#17.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Brad D. Krasnoff, Chapter 7 Trustee]

Docket 27

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 6/26/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Luiz Alberto Avila

Represented By
Heather J Canning

Joint Debtor(s):

Claudia Ramirez

Represented By
Heather J Canning

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

#18.00 Hearing re: Debtor's first omnibus motion for an order authorizing the debtor to reject certain executory contracts

Docket 250

Tentative Ruling:

No tentative ruling as of 6/25/18. Appearances are required on 6/26/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

#19.00 Hearing re: Debtor's motion to approve settlement between debtor, on one hand, and affiliates of the debtor, on the other hand

Docket 252

Tentative Ruling:

No tentative ruling as of 6/25/18. Appearances are required on 6/26/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, June 26, 2018

Hearing Room 1675

2:30 PM

2:18-14244 Margrit Ovasepian

Chapter 7

#20.00 Hearing re: United States Trustee's motion to dismiss chapter 7 case for cause under 11 U.S.C. §707(a), with a 180-day refiling bar; or in the alternative, motion to extend bar date for filing motion to dismiss case for abuse under §707(b)(3) and/or complaint under 11 U.S.C. §727 objecting to debtor's discharge

Docket 26

Tentative Ruling:

Grant motion of United States Trustee to dismiss for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 6/26/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Margrit Ovasepian

Represented By
Arman Saakyan

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of plan
fr. 10/18/17, 2/14/18, 5/23/18

Docket 123

Tentative Ruling:

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/21/18. No tentative ruling on the merits.
Appearances are required on 5/23/18, but counsel may appear by telephone.

Updated tentative ruling as of 2/12/18. The court has reviewed debtor's
status report. Debtor will need to address the notice of delinquency in filing
United States Trustee reporting requirements filed on 1/2/18. Appearances
are required on 2/13/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits.
Appearances are required on 10/18/17, but counsel may appear by
telephone.

No updated tentative ruling as of 9/11/17. Appearances are required on
9/13/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/10/17. No tentative ruling on the merits.
Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits.
Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits.
Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits.
Appearances are required on 1/25/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

Updated tentative ruling as of 10/17/16. The court has reviewed debtor's status report and declaration and exhibits attached thereto. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Debtor to explain whether the checks attached to his declaration filed on 9/16/16 have brought the plan entirely current. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/7/16. Appearances are required on 3/9/16, but counsel may appear by telephone.

Prior tentative ruling as of 2/1/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 2/3/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 11/23/15. The court has reviewed debtor's post-confirmation status report. Appearances are required on 11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/25/15. Appearances are required on 8/26/15, but counsel may appear by telephone.

Prior tentative ruling as of 4/13/15. Off calendar. The court has reviewed debtor's post-confirmation status report and sets a further status conference on its own motion to 8/26/15 at 11:00 a.m. A further status report is due 8/21/15. No appearances are required on 4/15/15.

Prior tentative ruling as of 1/26/15. Off calendar. The court has reviewed

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

debtor's post-confirmation status report and continues the status conference on its own motion to 4/15/15 at 11:00 a.m. A further status report is due 4/8/15. No appearances are required on 1/28/15.

Prior tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 7/21/14. Appearances are required on 7/23/14, but counsel may appear by telephone.

Prior tentative ruling as of 7/8/14. No tentative ruling on the merits. Appearances are required on 7/9/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's post-confirmation status report and continues the status conference to 5/7/14 at 11:00 a.m. No appearances required on 11/6/13, but a further status report is due on 4/30/14.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E Mcgoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

2:15-12558 Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 9/27/17, 12/6/17, 3/21/18

Docket 1

***** VACATED *** REASON: Cont'd from 6/27/18 to 10/24/18 at 11:30
a.m. per order entered on 5/30/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/25/18. Continued to 10/24/18 at 11:30 a.m.
by prior order. No appearances are required on 6/27/18.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits.
Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 9/25/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
9/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
5/10/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits.
Appearances are required on 1/24/17, but counsel may appear by telephone.

Updated tentative ruling as of 12/12/16. No tentative ruling on the merits.
Appearances are required on 12/13/16, but counsel may appear by
telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits.
Appearances are required on 11/16/16, but counsel may appear by
telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

CONT... Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel Chapter 11

Updated tentative ruling as of 10/31/16. Off calendar. The court on its own motion vacates this status conference in light of the pending proceedings regarding the amended disclosure statement for which there are separate hearings at which the status of the case is considered. No appearances are required on 11/3/16.

Updated tentative ruling as of 7/5/16. No tentative ruling in light of pendency of motion to approve disclosure statement. Appearances are required on 7/6/16, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling in light of pendency of motion to approve disclosure statement. Appearances are required on 4/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 2/22/16. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 2/24/16, but counsel may appear by telephone.

No updated tentative ruling as of 12/14/15. Appearances are required on 12/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 10/19/15. Appearances are required on 10/21/15, but counsel may appear by telephone.

No updated tentative ruling as of 9/15/15. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 6/30/15. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 7/1/15 to address status, including United States Trustee compliance issues, but counsel may appear by telephone.

Prior tentative ruling as of 4/28/15. Appearances are required on 4/29/15, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtors' status report. No tentative ruling as of 4/13/15. Appearances are required on 4/15/15 to

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

CONT... **Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel** **Chapter 11**
address status, including United States Trustee compliance issues, but
counsel may appear by telephone.

Party Information

Debtor(s):

Kenneth Leonard Dymmel

Represented By
Robert M Aronson

Joint Debtor(s):

Ruth Elizabeth Dymmel

Represented By
Robert M Aronson

Movant(s):

Kenneth Leonard Dymmel

Represented By
Robert M Aronson

Ruth Elizabeth Dymmel

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#3.00 CONT'D EVIDENTIARY HEARING RE: Motion for relief from stay
(U.S. Bank Trust N.A. VS Debtor)
fr. 1/4/18, 3/21/18, 4/25/18

Docket 79

Tentative Ruling:

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/3/18. On movant's claim under 11 U.S.C. 362(d)(2), it has met its burden of proof under 11 U.S.C. 362(g)(1) to demonstrate lack of equity in the subject property based on the stipulated value for the property. Debtor as the party opposing relief has the burden on the remaining issue of demonstrating under 11 U.S.C. 362(g)(2) and (d)(2) that the property is necessary to its effective reorganization, i.e., a confirmed reorganization plan is in reasonable prospect. Specifically, debtor must produce some evidence that its plan could be confirmed by a reasonable bankruptcy judge. In re Bonner Mall Partnership, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). Debtor's projected income based on its principal's consulting income of \$12,500 per month is not supported by any credible evidence for this projection. The demonstrated history in this case does not support the projection, and there is no credible explanation of how the income can be generated at that level to demonstrate plan feasibility under 11 U.S.C. 1129(a)(11). Debtor has not shown that it is likely to have at least one impaired class of claims to accept its plan under 11 U.S.C. 1129(a)(10) since there is no credible evidence indicating any creditor support for the plan (debtor's conclusory assertions are not evidence). Based on what has been submitted in the papers, the court is inclined to find that debtor has not met its burden of proof on the second

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

CONT... SK Vision LLC

Chapter 11

prong of 11 U.S.C. 362(d)(2) that the property is necessary for its effective reorganization, i.e., that its plan could be confirmed by a reasonable bankruptcy judge and that the stay relief motion should be granted. Appearances are required on 1/4/18.

Prior tentative ruling as of 11/6/17. Appearances are required on 11/7/17, but counsel may appear by telephone.

No updated tentative ruling as of 10/24/17. Appearances are required on 10/24/17, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set schedule of pretrial and trial proceedings. Appearances are required on 9/26/17 to discuss the parties' respective pretrial needs, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#4.00 Hearing re: Disclosure statement

Docket 109

Tentative Ruling:

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

No tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 12/13/17, 1/4/18, 3/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/3/18. No tentative ruling on the merits.
Appearances are required on 1/4/18, but counsel may appear by telephone.

Updated tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits.
Appearances are required on 10/18/17, but counsel may appear by
telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but
counsel may appear by telephone.

Prior tentative ruling as of 5/1/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

CONT... SK Vision LLC

Chapter 11

5/3/17, but counsel may appear by telephone.

No tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/25/17, 1/24/18, 4/25/18

Docket 1

***** VACATED *** REASON: Cont'd from 6/27/18 to 8/8/18 at 11:00 a.m.
per stip & order entered on 6/22/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/25/18. Off calendar. Continued by stipulation and order to 8/8/18 at 11:00 a.m. No appearances are required on 6/27/18.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. No tentative ruling on the merits. Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits. Appearances are required on 10/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Shapphire Resources, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/7/18, 3/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/25/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. Appearances are required on 3/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Fox Property Holdings, LLC

Represented By
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

2:18-10692 Morningside, LLC

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 3/21/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Morningside, LLC

Represented By
Moises S Bardavid

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#9.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/25/15

Docket 1

***** VACATED *** REASON: Cont'd from 6/27/18 to 8/22/18 at 11:30 a.m.
per hearing held on 6/19/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/27/18. Off calendar. Status conference continued to 8/22/18 at 11:30 a.m. per hearing held on 6/19/18. Appearances are not required on 6/27/18.

Prior tentative ruling. The court has reviewed debtor's status report. The claims bar date should be at least 60 days from the date of notice of bar date to creditors, so 6/1/18 is not appropriate. Otherwise, no tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

#10.00 Final hearing re: Emergency motion for interim order authorizing use of cash collateral, granting adequate protection, and setting further hearings on final use of cash collateral fr. 3/19/18, 4/5/18

Docket 10

Tentative Ruling:

Updated tentative ruling as of 6/25/18. The motion and hearing appear to be moot since the case has been converted to Chapter 7. Appearances are optional on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/4/18. Off calendar. Continued by stipulation and order to 6/27/18 at 11:00 a.m. [note change in date and time from what was proposed]. No appearances are required on 4/5/18.

No tentative ruling will be issued for the matter heard on shortened notice. Appearances are required on 3/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Movant(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

2:18-14665 Hugo Hernandez

Chapter 11

#11.00 Hearing re: Motion for order determining value of collateral

Docket 28

Tentative Ruling:

The court will treat the motion as a contested matter under FRBP 9014 since there are disputed issues of material fact concerning valuation requiring an evidentiary hearing. The parties should be prepared to discuss scheduling of pretrial and trial proceedings. Appearances are required on 6/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Hugo Hernandez

Represented By
Lionel E Giron

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:00 AM

2:18-14665 Hugo Hernandez

Chapter 11

#12.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Hugo Hernandez

Represented By
Lionel E Giron

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:30 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#13.00 Cont'd hearing re: Disclosure statement
fr. 3/21/18, 5/2/18, 5/9/18

Docket 174

Tentative Ruling:

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but
counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court has reviewed debtor's status
update and request to continue the status conference. No tentative ruling on
the merits. Appearances are required on 3/7/18 to discuss scheduling and
the the impact of treatment on creditor Cindy Magleby's claims for plan voting
and abstention among other things, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. The court notes that debtor filed a second
amended disclosure statement on 1/30/18, 8 days before the further hearing
on 2/7/18. Creditor Banc of California filed a response on 1/31/18 objecting
to debtor's noticing approval of the amended disclosure statement for the
hearing on 2/7/18, citing the court's oral ruling that creditors should be given 3
weeks notice of hearing on an amended disclosure statement. Appearances
are required on 2/7/18 to discuss scheduling of further proceedings, including
adequate time for creditors to respond to debtor's second amended
disclosure statement and a scheduling of a further hearing on debtor's second
amended disclosure statement to allow for review and comment by creditors
and interested parties, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:30 AM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 11/28/17. The court has reviewed debtor's status report. Appearances are required on 11/29/17 to discuss scheduling of further proceedings, including filing date for debtor's second amended disclosure statement, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. Debtor in his status report filed on 2/22/17 indicated that he and his counsel are working on revising and amending the original disclosure statement to include a revised and updated liquidation analysis and taking into account resolutions of claims of creditors, including First Republic Bank (however, the court notes that it disapproved without prejudice the stipulation resolving claim of First Republic Bank in light of objection of creditor Cindy Magelby since it appears that debtor will need to bring a FRBP 9019 motion). Appearances are required on 3/1/17 regarding scheduling of further proceedings for an amended and revised disclosure statement, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:30 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

#14.00 Hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 118

***** VACATED *** REASON: Case converted to chapter 7 on 5/16/18-mb.**

Tentative Ruling:

Off calendar. The hearing is moot because the case was converted to Chapter 7. No appearances are necessary.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Movant(s):

United States Trustee (LA)

Represented By
Hatty K Yip

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:30 AM

2:18-13759 Charles Peters

Chapter 11

#15.00 Hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 37

***** VACATED *** REASON: Resolved per stip & order entered on 6/20/18-mb.**

Tentative Ruling:

Off calendar. Motion is resolved by stipulation and order, and hearing is vacated. No appearances are necessary.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

11:30 AM

2:18-13759 Charles Peters

Chapter 11

#16.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/23/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 5/23/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

2:00 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#17.00 Final pretrial conference re: Motion to disallow claims of Banc of California, N.A.
fr. 3/7/18, 3/21/18, 5/2/18

Docket 372

***** VACATED *** REASON: Cont'd from 6/27/18 to 8/29/18 at 1:30 p.m.
per order entered on 6/14/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 6/25/18. Off calendar. Continued by stipulation and order to 8/29/18 at 1:30 p.m. No appearances are required on 6/27/18.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, June 27, 2018

Hearing Room 1675

2:00 PM

CONT... Curtis C. Magleby

Chapter 11

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, June 29, 2018

Hearing Room 1675

2:30 PM

2:18-17424 San Pedro Waterfront LLC dba Ports O'Call Res

Chapter 11

Adv#: 2:18-01216 San Pedro Waterfront, LLC, dba Ports O'Call R v. City of Los Angeles, a

#1.00 Hearing re: Emergency motion for temporary restraining order and preliminary injunction

Docket 2

Tentative Ruling:

No tentative ruling will be issued for the matter heard on shortened notice.
Appearances are required on 6/29/18, but counsel may appear by telephone.

Party Information

Debtor(s):

San Pedro Waterfront LLC dba Ports	Represented By David R Haberbush
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Defendant(s):

City of Los Angeles, a municipal	Pro Se
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Plaintiff(s):

San Pedro Waterfront, LLC, dba	Represented By David R Haberbush Vanessa M Haberbush
Jayme Wilson dba Spirit Cruises	Represented By David R Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

10:30 AM

2:18-12964 Placemark Properties LLC

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Rehabbers Financial, Inc. dba Aztec Financial VS Debtor)

PROPERTY RE: 49340 Sunrose Lane, Palm Desert, CA 92260

Docket 42

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

No tentative ruling on motion as to stay relief under 11 U.S.C. 362(d)(4) as to whether the bankruptcy petition was in aid of a scheme to hinder, delay or defraud creditor since the prior multiple filing was due to lack of counsel in the prior bankruptcy case and apparently debtor was making payments from September 2016 to the time of default in November 2017.

Appearances are required on 7/3/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Placemark Properties LLC	Pro Se
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Trustee(s):

Howard M Ehrenberg (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

10:30 AM

2:18-12964 Placemark Properties LLC

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Rehabbers Financial, Inc. dba Aztec Financial VS Debtor)

PROPERTY RE: 41 E. Forest Avenue, Arcadia, California 91006

Docket 41

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

No tentative ruling on motion as to stay relief under 11 U.S.C. 362(d)(4) as to whether the bankruptcy petition was in aid of a scheme to hinder, delay or defraud creditor since the prior multiple filing was due to lack of counsel in the prior bankruptcy case and apparently debtor was making payments from September 2016 to the time of default in November 2017.

Appearances are required on 7/3/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Placemark Properties LLC	Pro Se
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Trustee(s):

Howard M Ehrenberg (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

10:30 AM

2:18-13759 Charles Peters

Chapter 11

#3.00 Hearing re: Motion for relief from stay
(People of the State of California and The City of Beverly Hills. VS Debtor)

Docket 55

Tentative Ruling:

Overrule debtor's objections to declaration of Eric Markus for the reasons stated in movant's response. The declaration merely summarizes movant's allegations in the state court complaint and its reasons for seeking stay relief and does not go to the truth of the matters stated therein, only stating what is alleged in the complaint or what movant alleges to support its request for stay relief, and is not hearsay under FRE 801 and 802. The court does not determine the merits of movant's claims, but only determines whether movant has a colorable claim to enforce its rights in a nonbankruptcy forum. Moreover, personal knowledge is not needed under FRE 602 because the court can take judicial notice of what is alleged in the state court complaint under FRE 201 and the court determines that the declaration is admissible as merely asserting what the party's contentions are to request stay relief and thus, raising a preliminary question which does not bind the court to the rules of evidence under FRE 104.

Grant motion for stay relief under 11 U.S.C. 362(d)(1) and (b)(4) for the reasons stated in the moving papers, that is, to allow movant as a governmental unit to seek relief in a nonbankruptcy forum to enforce its police and regulatory power since land use regulation is within the scope of that power. However, under 11 U.S.C. 362(b)(4), movant may not enforce any monetary relief against debtor or property of the bankruptcy estate because the automatic stay remains as to enforcement of such relief. No tentative ruling on the request for waiver of the 14-day stay on enforcement under FRBP 4001(a)(3).

Appearances are required on 7/3/18, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

10:30 AM

CONT... Charles Peters

Chapter 11

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

10:30 AM

2:18-15323 Gianna Pabla Aquino

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Gianna Pabla Aquino

Represented By
Brian J Soo-Hoo

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

10:30 AM

2:18-10068 Manuel Terrazas

Chapter 7

#4.10 Cont'd hearing re: Motion for relief from stay
(HSBC Bank USA, N.A. VS Debtor)
fr. 6/19/18

Docket 56

Tentative Ruling:

Updated tentative ruling as of 7/2/18. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Prior tentative ruling. Movant failed to provide a judge's copy of the moving papers which complies with LBR 5005-2(d) and 9004-1(a)(1) requiring separately tabbed exhibits and single-sided pages. Movant failed to tab the exhibits and double-sided pages. The court will not consider the motion until movant corrects these deficiencies and complies with the court's rules. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Manuel Terrazas

Represented By
Leslie Richards

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

10:30 AM

CONT... Manuel Terrazas

Chapter 7

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#4.20 Hearing re: Motion to withdraw and to continue confirmation hearing

Docket 85

Tentative Ruling:

No tentative ruling as of 7/2/18. Appearances are required on 7/3/18.

Party Information

Debtor(s):

Peter G. Kudrave

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

2:17-18962 Alexander Yulish

Chapter 7

#5.00 Hearing re: First interim application for award of compensation and reimbursement of expenses of Danning, Gill, Diamond & Kollitz, LLP, as general counsel for chapter 7 trustee

Docket 87

Tentative Ruling:

The court notes that the zipcode on the proof of service of notice for Creditor Citibank is incorrect and does not match the mailing matrix. The court notes that debtor filed a reservation of rights regarding applicant's interim fee application. In reviewing the fee application, the court notes that applicant billed \$1,074.50 in fees (2.1 hours by Ms. Singh at \$295/hour and 0.7 hour by Mr. Israel) for preparation and review of a simple stipulation and order to extend time to file a complaint under 11 U.S.C. 727, filed on 10/30/17, which is excessive for the task performed and indicates that more careful exercise of billing judgment by applicant and closer scrutiny by the court may be warranted. In the court's view, only 0.5 hour by the associate and 0.2 hour by the partner is warranted for this task, which is essentially a form document that requires minimal preparation, review and discussion. In lieu of holding back the fee application for closer scrutiny since this is only an interim application and the court will not be reviewing the application on a final basis at this time, the court will order a 10% holdback on the requested amount, which applicant can request later in the final fee application, or the court can closely scrutinize the fee application which will require additional time before a ruling is made. The court also comments that if debtor has concerns regarding applicant's fee application, it must raise specific objections to the billing entries in the fee application.

Approve interim fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection, subject to a 10% holdback. Appearances are optional on 6/19/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

CONT... Alexander Yulish

Chapter 7

Debtor(s):

Alexander Yulish

Represented By
Todd L Turoci

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Sonia Singh
Eric P Israel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

2:17-18962 Alexander Yulish

Chapter 7

#6.00 Hearing re: First interim application by accountant for chapter 7 trustee for order approving payment of fees and expenses for the period of January 8, 2018 through June 8, 2018

Docket 89

Tentative Ruling:

Approve interim fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 7/3/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Alexander Yulish

Represented By
Todd L Turoci

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Sonia Singh
Eric P Israel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#7.00 Cont'd hearing re: Motion for relief from stay
(Behrouz Shadsirat VS Debtors)
fr. 6/5/18

Docket 41

Tentative Ruling:

No updated tentative ruling as of 7/2/18. Appearances are required on 7/3/18.

Prior tentative ruling. Since it appears that the state court litigation for which movant seeks stay relief based on mandatory abstention has been removed by debtors to this court, the court is inclined to deny the motion without prejudice because there is no pending litigation in state court for this court to abstain for. See *In re Roman Catholic Bishop of San Diego*, 374 B.R. 756, 760 (Bankr. S.D. Cal. 2007), citing inter alia, *Security Farms v. International Brotherhood of Teamsters*, 124 F.3d 999, 1009-1010 (9th Cir. 1997). Movant will need to bring a motion for equitable remand under 28 U.S.C. 1452(b) in conjunction with a renewed stay relief motion for the state court litigation to proceed. Appearances are required on 6/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Movant(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01148 Shadsirat v. Zargar et al

#8.00 Hearing re: Motion to remand [State Court Lawsuit]

Docket 8

Tentative Ruling:

Updated tentative ruling as of 7/2/18 at 5:30 p.m. Having reviewed the moving and opposing papers, the court is of the view that the ruling will depend on the analysis of the various equitable remand factors set forth in *In re Cedar Funding, Inc.*, 419 B.R. 807, 820-821 and n. 18 (9th Cir. BAP 2009), citing, *In re Enron Corp.*, 296 B.R. 505, 508 n. 2 (C.D. Cal. 2003) and the ruling may well turn on the impact of movant's filing of a proof of claim in this bankruptcy case as discussed in *In re Conejo Enterprises, Inc.*, 96 F.3d 346, 353-354 (9th Cir. 1996). (In this regard, the court notes that the reliance of respondents on the superseded opinion in *In re Conejo Enterprises, Inc.*, 71 F.3d 1460, 1467 (9th Cir. 1995) for the proposition that "by filing a proof of claim a creditor forsakes its right to adjudicate before a jury any issue that bears directly on the allowance of that claim" is misplaced because the earlier opinion was superseded and the language of the earlier opinion was not incorporated into the superseding opinion and is thus inoperative.) Counsel should be prepared to discuss the equitable remand factors and the impact of filing of a proof of claim by movant on the analysis of these factors. Appearances are required on 7/3/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

CONT... Shahriar Joseph Zargar

Chapter 11

Shabnam Mesachi

Represented By
Ashley M McDow

National Cash Inc

Represented By
Raymond H. Aver

Mohammad Khajehmiraki

Represented By
Raymond H. Aver

Davan Investment Corp

Represented By
Raymond H. Aver

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01148 Shadsirat v. Zargar et al

#9.00 Cont'd status conference re: Removal of state court action
[28 U.S.C. §1452; Fed. R. Bankr. P. 9027]
fr. 6/19/18

Docket 1

Tentative Ruling:

No tentative ruling as of 7/2/18. Appearances are required on 7/3/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Shabnam Mesachi

Represented By
Ashley M McDow

National Cash Inc

Represented By
Raymond H. Aver

Mohammad Khajehmiraki

Represented By
Raymond H. Aver

Davan Investment Corp

Represented By
Raymond H. Aver

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

CONT... Shahriar Joseph Zargar

Chapter 11

Plaintiff(s):

Behrouz Shadsirat

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

2:18-11525 Shahriar Joseph Zargar
Adv#: 2:18-01149 Shadsirat v. Zargar

Chapter 11

#10.00 Hearing re: Motion to remand [State Court Lawsuit]

Docket 8

Tentative Ruling:

Updated tentative ruling as of 7/2/18 at 5:30 p.m. Having reviewed the moving and opposing papers, the court is of the view that the ruling will depend on the analysis of the various equitable remand factors set forth in *In re Cedar Funding, Inc.*, 419 B.R. 807, 820-821 and n. 18 (9th Cir. BAP 2009), citing, *In re Enron Corp.*, 296 B.R. 505, 508 n. 2 (C.D. Cal. 2003) and the ruling may well turn on the impact of movant's filing of a proof of claim in this bankruptcy case as discussed in *In re Conejo Enterprises, Inc.*, 96 F.3d 346, 353-354 (9th Cir. 1996). (In this regard, the court notes that the reliance of respondents on the superseded opinion in *In re Conejo Enterprises, Inc.*, 71 F.3d 1460, 1467 (9th Cir. 1995) for the proposition that "by filing a proof of claim a creditor forsakes its right to adjudicate before a jury any issue that bears directly on the allowance of that claim" is misplaced because the earlier opinion was superseded and the language of the earlier opinion was not incorporated into the superseding opinion and is thus inoperative.) Counsel should be prepared to discuss the equitable remand factors and the impact of filing of a proof of claim by movant on the analysis of these factors. Appearances are required on 7/3/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

CONT... Shahriar Joseph Zargar

Ashley M McDow

Chapter 11

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez
Robert Gentino

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

2:18-11525 Shahriar Joseph Zargar
Adv#: 2:18-01149 Shadsirat v. Zargar

Chapter 11

#11.00 Cont'd status conference re: Removal of state court action
[28 U.S.C. §1452; Fed. R. Bankr. P. 9027]
fr. 6/19/18

Docket 1

Tentative Ruling:

No tentative ruling as of 7/2/18. Appearances are required on 7/3/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez
Robert Gentino

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

2:18-14134 Varduhi Badalyan

Chapter 7

#12.00 Hearing re: United States Trustee's motion to dismiss chapter 7 case for cause under 11 U.S.C. § 707(a), with a 180-day refiling bar, or in the alternative, motion to extend bar date for filing motion to dismiss case for abuse under 11 U.S.C. § 707(b)(3) and/or complaint under 11 U.S.C. §727 objecting to debtor's discharge

Docket 11

Tentative Ruling:

Service of notice of motion is insufficient since not all creditors were served with notice of motion as required by FRBP 2002(a)(4), 9013 and 9014 since the motion is brought under 11 U.S.C. 707(a)(1) for cause, namely, unreasonable delay prejudicial to creditors, rather than 11 U.S.C. 707(a)(3) for failure to file information required under 11 U.S.C. 521(a)(1). Movant to serve amended notice of motion on all creditors with a new hearing date, or alternatively, deny motion without prejudice, but grant motion to extend deadline to file either a motion to dismiss for abuse under 11 U.S.C. 707(b)(3) or an adversary proceeding under 11 U.S.C. 727. Appearances are required on 7/3/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Varduhi Badalyan

Represented By
Ken Shakhgulyan

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

Adv#: 2:16-01037 Avery v. Gonzalez

#13.00 Hearing re: Motion to move date set in August for homestead exemption hearing to be moved to a future date as approved subpoenas have not been received

Docket 112

***** VACATED *** REASON: Motion denied per order entered on 6/22/18-
mb.**

Tentative Ruling:

Off calendar. The court has ruled on the motion by written order. No appearances are required on 7/3/18.

Party Information

Debtor(s):

Arturo Gonzalez Pro Se

Defendant(s):

Arturo Gonzalez Pro Se

Plaintiff(s):

Wesley H. Avery Represented By
Brett B Curlee

Trustee(s):

Wesley H Avery (TR) Represented By
Brett B Curlee
Marc Weitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 3, 2018

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

Adv#: 2:16-01037 Avery v. Gonzalez

#14.00 Hearing re: Motion to compel discovery

Docket 110

***** VACATED *** REASON: Motion denied per order entered on 6/22/18-
mb.**

Tentative Ruling:

Off calendar. The court has ruled on the motion by written order. No appearances are required on 7/3/18.

Party Information

Debtor(s):

Arturo Gonzalez	Pro Se
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Defendant(s):

Arturo Gonzalez	Pro Se
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Plaintiff(s):

Wesley H. Avery	Represented By Brett B Curlee
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Trustee(s):

Wesley H Avery (TR)	Represented By Brett B Curlee Marc Weitz
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, July 5, 2018

Hearing Room 1675

10:00 AM

2:18-17263 8800 LLC

Chapter 11

#1.00 Hearing re: Debtor's emergency motion for entry of an order: (1) authorizing use of cash collateral on interim basis; and (2) scheduling final hearing pursuant to bankruptcy rule 4001(B)

Docket 13

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

No tentative ruling will be issued for the motion heard on shortened notice.
Appearances are required on 7/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, July 5, 2018

Hearing Room 1675

10:00 AM

2:18-17263 8800 LLC

Chapter 11

#2.00 Hearing re: Debtor's emergency motion for entry of an order authorizing debtor to provide adequate assurance of future payment to utility companies pursuant to 11 U.S.C. §366

Docket 15

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

No tentative ruling will be issued for the motion heard on shortened notice. Appearances are required on 7/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, July 5, 2018

Hearing Room 1675

10:00 AM

2:18-17263 8800 LLC

Chapter 11

#3.00 Hearing re: Debtor's emergency motion for authority to (1) pay prepetition priority wages; and (2) honor certain employee health, and accrued vacation and leave benefits

Docket 16

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

No tentative ruling will be issued for the motion heard on shortened notice.
Appearances are required on 7/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, July 9, 2018

Hearing Room 1675

9:00 AM

2:18-17424 San Pedro Waterfront LLC dba Ports O'Call Res

Chapter 11

Adv#: 2:18-01216 San Pedro Waterfront, LLC, dba Ports O'Call R v. City of Los Angeles, a

#1.00 Hearing re: Temporary restraining order and order to show cause re preliminary injunction
fr. 6/29/18

Docket 12

Tentative Ruling:

Revised tentative ruling as of 7/6/18 at 3:00 p.m. The court has reviewed plaintiff's memorandum of points and authorities filed on 7/5/18. As articulate as plaintiff's brief is, its basic argument that plaintiff has an equitable right to property by mere possession of the property is flawed because it is contrary to the Ninth Circuit's holding in *In re Perl*, 811 F.3d 1120 (9th Cir. 2016), disapproving a similar argument adopted in *In re Butler*, 271 B.R. 867 (Bankr. C.D. Cal. 2002). It appears that based on *In re Perl*, 811 F.3d at 1130, plaintiff was divested of all legal and equitable possessory rights that would otherwise be protected by an automatic stay when the unlawful detainer judgment and writ of possession were entered pursuant to California Code of Civil Procedure 415.46. See also, California Code of Civil Procedure 1161(1); 11 U.S.C. 362(b)(10). The case relied upon by plaintiff, *King v. Gotz*, 70 Cal. 236 (1886), is distinguishable because it involved a claim of homestead on encumbered real property, and did not involve rights of landlord tenant law, and the quoted language, that "the mere possession of real estate is constantly treated as property, which may be purchased and sold" is dicta. Appearances are required on 7/9/18.

Party Information

Debtor(s):

San Pedro Waterfront LLC dba Ports

Represented By
David R Haberbush

Defendant(s):

City of Los Angeles, a municipal

Represented By
Allan H Ickowitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, July 9, 2018

Hearing Room 1675

9:00 AM

CONT... San Pedro Waterfront LLC dba Ports O'Call Res

Chapter 11

Plaintiff(s):

San Pedro Waterfront, LLC, dba

Represented By
David R Haberbush
Vanessa M Haberbush
Lane K Bogard

Jayne Wilson dba Spirit Cruises

Represented By
David R Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

10:30 AM

2:15-15952 Fred Matthew Adelman

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Summit Pointe Homeowners Association VS Debtor)

Docket 1218

Tentative Ruling:

Deny motion for stay relief as moot because stay terminated as to debtor on denial of discharge on 12/21/17 pursuant to 11 U.S.C. 362(c)(2)(C) and as to the subject property as property of the estate upon abandonment on 3/15/17 pursuant to 11 U.S.C. 362(c)(1).

If movant requests, the court will issue an order confirming that the stay has been terminated pursuant to 11 U.S.C. 362(j).

Deny request for extraordinary relief in paragraph 5 for stay annulment to petition date for failing to show that the legal standards of National Environmental Waste Corp. v. City of Riverside (In re National Environmental Waste Corp.), 129 F.3d 1052 (9th Cir. 1997) and In re Gasprom, Inc., 500 B.R. 598 (9th Cir. BAP 2013) have been met.

Deny request for extraordinary relief in paragraphs 10 and 11 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

Appearances are required on 7/10/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

10:30 AM

CONT... Fred Matthew Adelman

Chapter 7

Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

10:30 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Ford Motor Credit Company LLC VS Debtor)

Docket 148

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

10:30 AM

2:18-15761 Carlos Horacio Hernandez

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(TD Auto Finance LLC VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Carlos Horacio Hernandez

Represented By
Lauren M Foley

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

10:30 AM

2:18-15897 Patricia Guzman

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Ally Bank VS Debtor)

Docket 8

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Patricia Guzman

Represented By
Michael H Colmenares

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01217 Gonzalez v. Brown et al

#5.00 Cont'd status conference re: Complaint for: (1) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §544(b)(1), 548(a)(1)(A), and 550, and California Civil Code §3439.04(a)(1); (2) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(I), and 550, and California Civil Code §3439.05; (3) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(II) and 550, and California Civil Code §3439.04(a)(2)(A); (4) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(III), and 550, and California Civil Code §3439.04(a)(2)(A); (5) Preservation of avoided transfer pursuant to 11 U.S.C. §551; (6) Disallowance of claim pursuant to 11 U.S.C. §502(d); and (7) Disallowance of claim pursuant to 11 U.S.C. §502(b)
fr. 2/27/18, 3/27/18, 5/8/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/9/18. The court has reviewed the joint status report and notes that the parties have not had their LBR 7026-1 conference. The court is inclined to continue the status conference until the parties have completed their LBR 7026-1 conference and suggests that they conduct the business of LBR 7026-1 conference before the status conference to obviate the need for a continuance. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/11/17. Appearances are required on 9/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status reports filed by the various parties. No tentative ruling on the merits. Appearances are required on 5/30/17.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

1:30 PM

CONT... Wladimir John Klimenko

Chapter 7

Stephen S Smyth
William J Smyth

Defendant(s):

Robert Anthony Brown	Pro Se
Law Office of Robert Brown	Pro Se
Acquiplied Assets, B.T.	Pro Se
Wladimir John Klimenko	Pro Se
Wladimir J. Klimenko Living Trust	Pro Se
Jeffrey Alan Abraham	Pro Se
JMS Financial, Inc	Pro Se
Deanna Shapiro	Pro Se
BANK OF THE WEST	Pro Se

Plaintiff(s):

Rosendo Gonzalez	Represented By Sherri S Shafizadeh Thomas A Fasel
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Trustee(s):

Rosendo Gonzalez (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

1:30 PM

2:17-15655 Amanuel Devon Brooks

Chapter 7

Adv#: 2:18-01161 LJ Properties Inc A Calif Corp v. Luckette

#6.00 Status conference re: Removal from Los Angeles Superior Court of California
Case No.: 18VEUD00857

Docket 1

Tentative Ruling:

No tentative ruling as of 7/9/18. Appearances are required on 7/10/18.

Party Information

Debtor(s):

Amanuel Devon Brooks

Represented By
Dana M Douglas

Defendant(s):

Ziapone Luckette

Pro Se

Plaintiff(s):

LJ Properties Inc A Calif Corp

Pro Se

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#7.00 Cont'd status conference re: Complaint for: (1) Declaratory Relief Regarding Alleged Standing Of Defendants Under Note And Deed Of Trust; (2) Declaratory Relief Regarding Purported Foreclosure Sale And Trustees Deed Upon Sale And Title To Real Property; (3) Declaratory Relief Regarding Unlawful Detainer Action; (4) Turnover Of Real Property; (5) Disallowance Of Any Claims Of JPMorgan Chase Bank, N.A.; (6) Violation Of Fair Debt Collection Practices Act
fr. 2/27/18, 3/20/18, 5/1/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/10/18 to 8/28/18 at 1:30 p.m.
per stip & order entered on 7/2/18-mb**

Tentative Ruling:

Updated tentative ruling as of 7/9/18. Off calendar. Continued by stipulation and order to 8/28/18 at 1:30 p.m. No appearances are required on 7/10/18.

Prior tentative ruling as of 4/30/18. No tentative ruling on the merits. Appearances are required on 5/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. Off calendar. The court on its own motion continues the status conference to 3/20/18 at 3:00 p.m. A separate order is being entered. No appearances are required on 2/27/18.

Prior tentative ruling. The court has reviewed the joint status report and also notes on the case docket that there is a hearing on the motion of defendant JP Morgan Chase Bank, N.A. to dismiss plaintiff's amended complaint on 2/27/18 at 3:00 p.m., which may have an impact on scheduling in this adversary proceeding. Therefore, the court on its own motion continues the status conference to 2/27/18 at 3:00 p.m. to be conducted with the hearing on the motion to dismiss the amended complaint. No appearances are required on 2/13/18.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

1:30 PM

CONT... Grand View Financial LLC

Chapter 11

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Pro Se

QUALITY LOAN SERVICE

Pro Se

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01008 Grand View Financial, LLC v. Wilmington Savings Fund Society, FSB et al

#8.00 Cont'd status conference re: Complaint for: (1) declaratory relief regarding alleged standing of certain defendants under note and deed of trust, purported foreclosure sale, purported trustees deed upon sale, and title to real property; (2) turnover of real property; (3) disallowance of any claims of defendants; (4) violation of fair debt collection practices act
fr. 3/20/18, 5/22/18

Docket 1

*** VACATED *** **REASON: Notice of dismissal filed on 6/21/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/9/18. Off calendar. Adversary proceeding dismissed by notice filed on 6/21/18. No appearances are required on 7/10/18.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report requesting a continuance of the status conference for about 60 days. The court on its own motion continues the status conference to 5/22/18 at 1:30 p.m, and has entered an order so continuing the status conference. A joint status report is due on 5/15/18. Plaintiff is to give written notice of continuance to defendant or its counsel. No appearances are required on 3/20/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Wilmington Savings Fund Society,

Pro Se

Christiana Trust, a Division of

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

1:30 PM

CONT... Grand View Financial LLC

Chapter 11

Entra Default Solutions, LLC

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

1:30 PM

2:17-21936 Samuel Chea

Chapter 7

Adv#: 2:18-01061 Wolkowitz v. Chea

#9.00 Cont'd status conference re: Complaint against debtor for denial of discharge
 [11 U.S.C. §727]
 fr. 5/8/18

Docket 1

***** VACATED *** REASON: Per notice of dismissal filed on 6/21/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/9/18. Off calendar. Adversary proceeding dismissed by notice filed on 6/21/18. No appearances are required on 7/10/18.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report requesting a 60 day continuance of the status conference so the parties can complete their settlement discussions. The court on its own motion continues the status conference to 7/10/18 at 1:30 p.m. Plaintiff to give notice to defendant and his counsel. No appearances are required on 5/8/18.

Party Information

Debtor(s):

Samuel Chea

Represented By
Anthony E Contreras

Defendant(s):

Samuel Chea

Pro Se

Plaintiff(s):

Edward M Wolkowitz

Represented By
Carmela Pagay

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

1:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

Adv#: 2:18-01139 People Who Care Youth Center, Inc. v. Ammec, Inc. et al

#10.00 Status conference re: Complaint for: (1) Slander of title; (2) Disallowance of claim [11 U.S.C. §502(b)]; (3) Avoidance of lien; [FRBP 7001]; (4) Declaratory relief; (5) Punitive damages; and (6) Attorneys' fees and costs

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status report and continues the status conference on its own motion to 7/17/18 at 2:30 p.m., the date and time of the hearings on defendant Curtis's motion to dismiss and defendant Ammec's motion to set aside default. Plaintiff to give written notice of continuance of status conference. No appearances are required on 7/10/18.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.	Represented By John-Patrick M Fritz
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Defendant(s):

Ammec, Inc.	Pro Se
Greta Curtis	Pro Se

Plaintiff(s):

People Who Care Youth Center, Inc.	Represented By John-Patrick M Fritz David B Golubchik
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

1:30 PM

2:18-11148 Jong J Kim

Chapter 7

Adv#: 2:18-01134 Shon et al v. Kim et al

#11.00 Status conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §§ 523(a)(2)(A) & (a)(6) and 11 U.S.C. §§727(a)(3)-(4), and declaratory relief

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed the unilateral status reports filed by the parties. The court continues the status conference to 7/31/18 at 2:30 p.m. to be conducted with the hearing on defendants' amended motion to dismiss. No appearances are required on 7/10/18.

Although the parties failed to file a timely joint status report as required by Local Bankruptcy Rule 7016-1 and the court's status conference order, the court will not require at this time for the parties to file an updated and amended joint status report in light of the pendency of defendants' motion to dismiss.

However, the court notes that plaintiff has a jury trial demand on the face of the complaint, which the court will strike because there is no right to a jury trial on debt dischargeability and discharge denial claims in the adversary proceeding. The court also notes that the parties' consent to this court's jurisdiction to enter a final judgment on these core claims is not needed.

Party Information

Debtor(s):

Jong J Kim

Represented By
M Teri Lim

Defendant(s):

Sun Y Kim

Pro Se

Jong Joo Kim

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

1:30 PM

CONT... Jong J Kim

Chapter 7

Joint Debtor(s):

Sun Y Kim

Represented By
M Teri Lim

Plaintiff(s):

Kevin Shon

Represented By
Jason Shon

Sunny Shon

Represented By
Jason Shon

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01144 Alde Financial Group, LLC v. Martinez

#12.00 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
[11 U.S.C. §523(a)(2)(A)]
fr. 5/22/18, 6/5/18, 6/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. The court has reviewed the joint status report. Appearances are required on 11/14/17 to discuss the possibility of joint mediation, scheduling of further proceedings, including pretrial conference and trial, but counsel may appear by telephone. The consensus of the parties seems to be a discovery cutoff date of March 2018, i.e., March 31, 2018, a pretrial conference in April 2018, and a trial date in June 2018. The parties should be prepared to discuss how the case should be tried, given there are 6 sets of plaintiffs, and the length of trial, so that all parties

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

have a full and fair opportunity to present their various cases. Perhaps it would be helpful to consider trying certain claims based on commonality of witnesses and facts, such as the particular type of investment vehicle involved. Defendant indicated an interest in mediation, but plaintiffs indicated no interest in mediation, and the court would like to hear from plaintiffs why mediation would not be helpful in resolving their claims, given that collectibility of defendant is probably an issue.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 9/1/17 and a further postdiscovery status conference for 9/26/17 at 1:30 p.m. with a joint status report due on 9/19/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 9/26/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Alde Financial Group, LLC

Represented By
Timothy J Silverman

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01146 Karen Baird v. Martinez

#13.00 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
[11 U.S.C. §523(a)(2)(A)]
fr. 5/22/18, 6/5/18, 6/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 9/1/17 and a further postdiscovery status conference for 9/26/17 at 1:30 p.m. with a joint status report due on 9/19/17. Order the matter to mediation, the parties are to file a request for selection of mediator

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez Chapter 7

and alternate mediator by 5/19/17 and complete mediation by 9/26/17.
Appearances are required on 4/18/17, but counsel may appear by telephone.
Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Karen Baird

Represented By
Timothy J Silverman

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01147 Hinojos v. Martinez

#14.00 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
fr. 5/21/18, 6/5/18, 6/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Ezequiel Hinojos

Represented By
Thomas Spielbauer
Thomas Spielbauer

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01149 Van v. Martinez

#15.00 Cont'd pretrial conference re: Complaint for denial of discharge of debt
fr. 5/22/18, 6/5/18, 6/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the status reports filed by the parties. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Sandy Van

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01157 Wideload Investments, LLC et al v. Martinez

#16.00 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
 [11 U.S.C. §523(a)(2)(A)]
 fr. 5/22/18, 6/5/18, 6/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez Chapter 7

mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Wideload Investments, LLC

Represented By
Ryan A. Ellis

Benjamin Rudnitsky

Represented By
Ryan A. Ellis

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez
Adv#: 2:17-01158 Carter et al v. Martinez

Chapter 7

#17.00 Cont'd pretrial conference re: Complaint to except debt from discharge for willful and malicious injury and as money obtained under false pretenses; fraud [11 U.S.C. § 523 (a)2)(A) & (6)] fr. 5/22/18, 6/5/18, 6/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/19/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:00 PM

CONT... **Anthony Roy Martinez**

Chapter 7

Prior tentative ruling. The court has reviewed the unilateral status report filed by defendant. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Lance Carter

Represented By
Dana M Douglas

Jean Holmes

Represented By
Dana M Douglas

Carriage Estates LLC

Represented By
Dana M Douglas

Adamantine Investments LLC

Represented By
Dana M Douglas

Sterling Holdings LLC

Represented By
Dana M Douglas

Lance Carter IRA 419990

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:30 PM

2:16-13746 Ron Gerard Lohman

Chapter 7

#18.00 Hearing re: Chapter 7 trustee's motion for authority (i) to compromise State Court claims against Oakhurst Industries, Inc. (Case Nos. BC619694 and BC643910); (ii) for authority to pay special litigation counsel's contingency's fee; and (iii) for authority to pay interim distribution to debtor

Docket 28

***** VACATED *** REASON: Voluntary dismissal of motion filed on 6/14/18-mb.**

Tentative Ruling:

Off calendar. Motion voluntarily dismissed by notice filed on 6/14/18. No appearances are required on 7/10/18.

Party Information

Debtor(s):

Ron Gerard Lohman

Represented By
Michael Y Lo

Trustee(s):

Carolyn A Dye (TR)

Represented By
Kevin Mahoney
Paul John Denis

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:30 PM

2:16-15692 Rama Krishna Chaparala
Adv#: 2:18-01123 Ehrenberg v. Kolli

Chapter 7

#19.00 Hearing re: Motion to dismiss for failure to state a claim, or in the alternative for a more definite statement

Docket 9

***** VACATED *** REASON: Per hearing held on 6/19/18, matter cont'd
& renoticed for 7/31/18 at 2:30 p.m.-mb.**

Tentative Ruling:

Off calendar. Hearing on motion continued and renoticed for hearing on 7/31/18. No appearances are required on 7/10/18.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Raja Sekhar Kolli

Represented By
Clifford Bordeaux

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:30 PM

2:16-18163 Anthony Curtis Wells

Chapter 7

#20.00 Hearing re: Trustee's motion to: (1) Approve sale of real property commonly known as 6735 Yucca Street, Unit 410, Los Angeles, California, free and clear of lien and interests; (2) Approve payment of real estate broker's commission; and (3) Find that the buyer is a good faith purchaser within the meaning of 11 U.S.C. Section 363(m)

Docket 125

Tentative Ruling:

No tentative ruling as of 7/9/18. Appearances are required on 7/10/18.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest
John Clark Brown Jr

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:30 PM

2:16-18163 Anthony Curtis Wells

Chapter 7

#21.00 Cont'd hearing re: Motion for order compelling debtor to turn over possession of and vacate real property located at 6735 Yucca Street, Unit 410, Los Angeles, California fr. 12/19/17, 1/16/18, 6/19/18

Docket 92

Tentative Ruling:

Updated tentative ruling as of 7/9/18. No tentative ruling on the merits. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits. Appearances are required on 3/27/18, but counsel may appear by telephone.

No updated tentative ruling as of 1/12/18. Appearances are required on 1/16/18, but counsel may appear by telephone.

Prior tentative ruling. Grant trustee's motion for turnover of the subject property for the reasons stated in the moving papers since the subject property is property of the bankruptcy estate under the trustee's supervision pursuant to 11 U.S.C. 541(a) and 704(a). Debtor's arguments lack merit. To the extent that debtor seeks stay pending appeal of the state court judgment, it is not properly raised in the opposition, and it is not properly raised in this court since the appeal is pending in the state court system. Appearances are required on 12/12/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Trustee(s):

Richard K Diamond (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:30 PM

CONT...

Anthony Curtis Wells

Howard Kollitz
Aaron E de Leest
John Clark Brown Jr

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:30 PM

2:16-18163 Anthony Curtis Wells

Chapter 7

Adv#: 2:16-01440 Diamond, Chapter 7 Trustee, Plaintiff v. Wells et al

- #22.00** Cont'd status conference re: Chapter 7 trustee's complaint: (1) for declaratory relief; (2) for turnover; (3) to avoid and recover fraudulent transfer; (4) imposition of a constructive trust; and (4) in the alternative, for sale of the entirety of real property pursuant to 11 U.S.C. §363(h)
fr. 12/12/17, 3/27/18, 6/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits.
Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits.
Appearances are required on 3/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/21/17. No tentative ruling on the merits.
Appearances are required on 8/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/17. No tentative ruling on the merits.
Appearances are required on 5/9/17 to discuss the status of the related state court litigation in which entry of judgment was expected shortly as reported at the last status conference and the scheduling of further proceedings if judgment has not been entered and trustee is not yet prepared to dismiss this adversary proceeding, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:30 PM

CONT... Anthony Curtis Wells Chapter 7

Prior tentative ruling as of 2/27/17. The court notes that the parties failed to file a joint status report as required by LBR 7016-1. Appearances are required on 2/28/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report and is inclined to stay the proceedings pending the trial in the related state court action starting on 1/10/17 and to set a further status conference afterwards on 1/31/17 at 1:30 p.m. Appearances are required on 1/29/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Anthony Curtis Wells

Pro Se

Sayun Wells

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Aaron E de Leest

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:30 PM

2:17-15088 Susan Y Shim

Chapter 7

#23.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[David Goodrich, Chapter 7 Trustee]

Docket 33

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 7/10/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Susan Y Shim

Represented By
Young K Chang

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:30 PM

2:17-15088 Susan Y Shim

Chapter 7

#24.00 Hearing re: Application for fees and expenses
[Hahn, Fife & Company, Accountant for Chapter 7 Trustee]

Docket 25

Tentative Ruling:

Since the court has granted trustee's prior motion to employ and pay the tax preparer, there is no need for a separate hearing as to the compensation of the tax preparer aside from being considered as part of the trustee's final report. Appearances are optional on 7/10/18, but trustee and applicant may appear by telephone.

Party Information

Debtor(s):

Susan Y Shim

Represented By
Young K Chang

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#25.00 Hearing re: Motion of defendant JPMorgan Chase Bank, N.A. to dismiss first amended complaint

Docket 32

***** VACATED *** REASON: Cont'd from 7/10/18 to 7/31/18 at 2:30 p.m.
per stip & order entered on 6/27/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 7/31/18 at 2:30 p.m. No appearances are required on 7/10/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Represented By
Matthew S Henderson

QUALITY LOAN SERVICE

Represented By
Merdaud Jafarnia

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:30 PM

2:17-23029 Jose Antonio Horta Luna

Chapter 7

#26.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Jason M. Rund, Chapter 7 Trustee]

Docket 19

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 7/10/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Jose Antonio Horta Luna

Represented By
James Geoffrey Beirne

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#27.00 Hearing re: Motion for order abandoning the estate's interest in potential claims against Kristen Whitney

Docket 1230

Tentative Ruling:

Grant trustee's motion to abandon estate's interest in potential claims against Kristen Whitney for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 7/10/18, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Movant(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 10, 2018

Hearing Room 1675

2:30 PM

2:18-17469 Angelica Cristal Villamar

Chapter 7

#27.10 Hearing re: Application to have the chapter 7 filing fee waived

Docket 9

***** VACATED *** REASON: Fee waiver granted per order entered on
6/29/18-mb.**

Tentative Ruling:

Off calendar. The court ruled on the application, granting it. No appearances are necessary.

Party Information

Debtor(s):

Angelica Cristal Villamar	Pro Se
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Trustee(s):

Peter J Mastan (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

9:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

**#1.00 EVIDENTIARY HEARING RE: Confirmation of plan
fr. 4/18/18, 5/2/18**

Docket 94

Courtroom Deputy:

[U.S. Trustee's motion to dismiss/convert set on 7/18/18 at 11:30 a.m.]

Tentative Ruling:

Updated tentative ruling as of 7/9/18. Based on the plan vote, the plan is not confirmable if there are impaired classes of claims and not one impaired class has accepted the plan pursuant to 11 U.S.C. 1129(a)(10). Debtor apparently argues that the plan may be confirmed because there are no impaired classes, that is, the objecting creditor, Umbrella, which voted against the plan, and whose vote shows that the general unsecured class rejected the plan, is unimpaired. There is a material factual dispute to be resolved at the hearing as to whether Umbrella's prepetition claim is unimpaired in order to disregard its vote to show that there are no impaired classes of claims. The court notes that Umbrella may have a postpetition administrative claim that will require payment, and debtor will need to show that the plan is feasible to pay the claims under the plan and administrative expense claims, including Umbrella's. Debtor will have to prove up lack of impairment of Umbrella's prepetition claim and plan feasibility. Otherwise, no tentative ruling on the merits. Appearances are required on 7/11/18.

Prior tentative ruling as of 5/1/18. The court has reviewed debtor's amended disclosure statement. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/18. Deny approval of disclosure statement. The amended disclosure statement is difficult to follow and confusing. The court thinks it can be boiled down to the following chart. Appearances are required on 4/18/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

9:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Goins feasibility analysis

Payments on Effective Date

Loan arrearages to Umbrella on 65th Street: \$136,107.20

\$27,844.89

Priority claims

IRS \$1,818.51

IRS \$40,079.00

FTB \$111.59

City of LA \$361.09

Unsecured general claims (100% payment): \$7,636.43

Professional fees _____

United States Trustee fees _____

Total _____

Source of payments on effective date:

Family contribution: \$150,000

Estate funds (including sale of Bronson property) _____

Total _____

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

9:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Payment of Secured claims:

Bedford property	\$5,842.83
------------------	------------

Property taxes	_____
----------------	-------

Source of payments on Bedford

Estate income (including from

Trust property management fees and

65th Street rental income)

65 th Street property	\$3,600.00
----------------------------------	------------

Property taxes	_____
----------------	-------

Other expenses	_____
----------------	-------

Source of payments on 65th Street

Rental income on 65 th Street	\$8,300.00
--	------------

Income and expense for plan:

Income

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

9:00 AM

CONT...

Stassen Conrad Goins

Chapter 11

Trust management fee income	\$5,000.00
Rental income from 65 th Street	\$8,300.00
	\$13,300.00
Expenses	
Rental property expenses from	
65 th Street	\$4,300.00
Personal expenses, including	
Bedford mortgage	\$7,750.00
Total expenses	\$12,050.00
Net income	\$1,300.00

Updated tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits. Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits. Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits. Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. The amended disclosure statement is deficient and needs to be revised. First and foremost, no plan was attached to the disclosure statement, including Exhibits A and B, as well as the recently approved stipulation and order between debtor and secured creditor Christiana Trust. If debtor meant to attach the Plan last filed on 9/1/16, it

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

9:00 AM

CONT...

Stassen Conrad Goins

Chapter 11

should be updated to be accompany the amended disclosure statement. The court agrees with the objections of creditor Umbrella Investment Group that the amended disclosure statement lacks adequate information, including basic information about payment of general unsecured claims, how, what amounts and when. The last filed plan on 9/1/16 stated that general unsecured claims will be paid 100% and that debtor has rental income of \$8,300, but no information is provided as to how, when and what means to implement the plan, so creditors can evaluate feasibility. Financial projections of income and expense for the duration of the plan term are missing and should have been provided. Perhaps debtor's use of the form disclosure statement should be jettisoned, and debtor should use a narrative disclosure statement in plain English to describe what he proposes to the creditors in his plan. Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. Pending before the court is debtor's amendment to disclosure statement filed on 9/1/16, which has been noticed for hearing on 12/5/17. This amendment amends the original disclosure statement filed on 11/17/15. The original disclosure statement of 11/17/15 looks like a disclosure statement whereas the amendment filed on 9/1/16 does not. The amendment looks like an add-on amendment and does not contain sufficient information to constitute a disclosure statement that the court could approve and allow to be sent out to creditors. Debtor will have to draft an updated disclosure statement that is self-contained in order for the plan to be considered by the court and creditors, and thus, the court will deny approval of the 9/1/16 amendment as debtor's disclosure statement. Appearances are required on 12/5/17 to discuss how long it will take debtor to revise his disclosure statement, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. The court has reviewed debtor's notice that tax returns have been prepared and filed, and the court expects to discuss debtor's plans for filing an amended disclosure statement. Appearances are required on 11/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/16/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

9:00 AM

CONT... Stassen Conrad Goins

Chapter 11

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits. Debtor was to address accountant's opinion regarding tax consequences of proposed property sales. Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. Debtor will need to address United States Trustee's objection regarding the estimates of income taxes needed to cover capital gains liability, but it appears that the amended disclosure statement is otherwise approvable, despite the United States Trustee's style suggestion, which the court does not agree with. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits. Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits. Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits. Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits. Appearances are required on 5/18/16 to address the objections of the United States Trustee and objecting creditors, but counsel (other than debtor's counsel) may appear by telephone. Debtor should be prepared to discuss the treatment of each class of creditors since the proposed plan does not make it clear (e.g., 10 monthly payments for a number of classes, but no balloon payment stated). Perhaps debtor would have an easier time in not using the optional Chapter 11 form plan and disclosure statement and

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

9:00 AM

CONT...

Stassen Conrad Goins

Chapter 11

prepare a manually generated plan and disclosure statement and stating the proposed terms of the plan in a narrative.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits. Appearances are required on 3/16/16, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. Debtor to address objections of United States Trustee and creditors to draft disclosure statement regarding adequacy of information. The source of funding of plan is unclear. No historical financial data or projections are provided, which should be provided for each property as well as the debtor's business and living expenses. Since it appears that this is probably a cramdown plan situation due to the dispute over appropriate interest rates on secured claims, Debtor should be prepared to discuss how he will prove the appropriate cramdown rates of interest (i.e., is debtor submitting expert witness opinion testimony on interest rates?) . Appearances are required on 1/13/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

9:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/18/18, 5/2/18

Docket 1

Courtroom Deputy:

[U.S. Trustee's motion to dismiss/convert set on 7/18/18 at 11:30 a.m.]

Tentative Ruling:

Updated tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/18. No tentative ruling on the merits.
Appearances are required on 4/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits.
Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits.
Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. No tentative ruling on the merits.
Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits.
Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits.
Appearances are required on 11/15/17, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

9:00 AM

CONT... Stassen Conrad Goins
telephone.

Chapter 11

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits.
Appearances are required on 8/16/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. No tentative ruling on the merits.
Appearances are required on 4/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/17. No tentative ruling on the merits.
Appearances are required on 3/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/9/17. No tentative ruling on the merits.
Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits.
Appearances are required on 11/16/16, but counsel may appear by
telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits.
Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits.
Appearances are required on 5/31/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/23/16. No tentative ruling on the merits.
Appearances are required on 5/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/16/16. No tentative ruling on the merits.
Appearances are required on 5/18/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. No tentative ruling on the merits.
Appearances are required on 3/16/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/12/16. Appearances are required on
1/13/16, but counsel may appear by telephone.

No updated tentative ruling as of 11/23/15. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

9:00 AM

CONT... Stassen Conrad Goins

Chapter 11

11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 10/19/15. Appearances are required on 10/21/15, but counsel may appear by telephone

No updated tentative ruling as of 9/15/15. Appearances are required on 9/16/15, but counsel may appear by telephone.

No updated tentative ruling as of 9/8/15. Appearances are required on 9/9/15, but counsel may appear by telephone.

Prior tentative ruling as of 8/3/15. No tentative ruling on the merits. Appearances are required on 8/5/15, but counsel may appear by telephone.

No updated tentative ruling as of 7/20/15. Appearances are required on 7/22/15, but counsel may appear by telephone.

No tentative ruling as of 7/6/15. Appearances are required on 7/8/15, but counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

Movant(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

2:12-15665 Crystal Cathedral Ministries

Chapter 11

#3.00 Hearing re: Reorganized debtor's motion for issuance of order directing Carol Milner and Harold J. Light, Esq. to show cause why they should not be held in contempt (FRBP 9020); and for damages and attorneys' fees for intentionally violating the permanent discharge injunction

Docket 2043

***** VACATED *** REASON: Status conference set on 7/31/18 at 2:00 p.m.
per order entered on 6/21/18-mb.**

Courtroom Deputy:

Tentative Ruling:

Off calendar. The hearing was improvidently noticed by movant, and has been taken off calendar by prior order of the court. The matter is set for a status conference on 7/31/18 at 2:00 p.m. No appearances are required on 7/11/18.

Party Information

Debtor(s):

Crystal Cathedral Ministries

Represented By
Marc J Winthrop
Kavita Gupta
G Emmett Raitt
Nanette D Sanders
Jeannie Kim
Douglas L Mahaffey

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#4.00 Cont'd hearing re: Motion for order authorizing and approving adequacy of debtor's disclosure statement describing debtor's chapter 11 plan fr. 12/6/17, 2/21/18, 4/25/18

Docket 158

Courtroom Deputy:

[D/S motion filed on 6/8/18 and set for hrg on 7/18/18 at 11:00 a.m.]

Tentative Ruling:

Updated tentative ruling as of 7/9/18. Off calendar. Continued on the court's own motion to 7/18/18 at 11:00 a.m. to be conducted with hearing on debtor's amended disclosure statement. No appearances are required on 7/11/18.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits. Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling. Deny approval of proposed disclosure statement for lack of adequate information. The disclosure statement does not contain the information normally expected, such as the matters identified in *In re Metrocraft Pub. Servs. Inc.*, 30 B.R. 567, 568 (Bankr. N.D. Ga. 1984) discussed in the moving papers. The disclosure statement does not give meaningful information to creditors about how the plan works; it is just a collection of spreadsheets with little explanation. There is no explanation of how payments are going to be made under the plan, monthly, quarterly, annually, etc. There is a computation of net income on Exhibit C, but that does not translate into how plan payments are going to be made to creditors. The financial history spreadsheet, Exhibit D, is sparse and uninformative as to both the income and expenses of debtor, and just provides summary figures from the MORs.

The liquidation analysis, Exhibit G, is incomplete, and may not necessarily

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

reflect the correct net equity of debtor since the asset values and encumbrances differ for each piece of collateral, and simply aggregating them does not necessarily mean that there is total negative net equity of the estate as computed (i.e., there is no explanation of the liens, whether they are only as to specific collateral or blanket liens). Debtor says there is no need to consider Chapter 7 administrative costs since there is negative net equity in debtor's assets in the aggregate, but these should be computed.

The court should also deny approval of the disclosure statement because the debtor's proposed new value plan on its face gives the exclusive new value opportunity to its sole shareholder, Ji K. Lim, and is not sufficiently market tested within the meaning of Bank of America National Trust and Savings Association v. 203 North LaSalle Street Partnership ("LaSalle"), 526 U.S. 434 (1999); see also, In re NNN Parkway 400 26, LLC, 505 B.R. 277, 281-283 (Bankr. C.D. Cal. 2014)(Albert, J.); see also, In re Arnold, 471 B.R. 578, 586 (Bankr. C.D. Cal. 2012)(approval of disclosure statement should be denied if plan is nonconfirmable on its face). As Judge Albert observed in NNN Parkway 400 26, LLC, "LaSalle requires that the quantum of new value be market tested; otherwise the parties and the court cannot know whether the amount of new value is most available. And if more (or better) could be gotten elsewhere, then the equity is effectively keeping a form or property or interest in the debtor despite not paying the dissenting creditors in full, by exercising its exclusive 'option' to direct/determine the source of the new value. But LaSalle is frustratingly vague as to what exactly a debtor must do to 'market test' the interest; the Supreme Court expressly left the question open while naming some alternatives, such as the right to bid for the same interest or the right to file a competing plan." In re NNN Parkway 400 26, LLC, 505 B.R. at 281, citing LaSalle, 526 U.S. at 458; see also, LaSalle, 526 U.S. at 455 ("It is doomed, we can say without necessarily exhausting its flaws, by its provision for vesting equity in the reorganized business in the Debtor's partners without extending an opportunity to anyone else either to compete for that equity or to propose a competing reorganization plan."). "[D]ebtors bear the burden of showing that the new money offered is the most and best reasonably obtainable after some 'market testing' . . . This probably requires, at a minimum, demonstration of a systematic effort designed to 'market test' the deal." In re NNN Parkway 400 26, LLC, 505 B.R. at 283. There is no demonstration of any systematic effort designed to "market test"

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

the deal shown in debtor's papers as far as this court can see.

The court also agrees with the objections of the committee and creditor Bank of Hope regarding the inadequacy of information regarding the new value contribution, the payment to unsecured creditors, the identification of postconfirmation directors and officers, treatment of creditor claims and impairment of secured claims.

Debtor uses the court form Chapter 11 plan and disclosure statement which are designed in part for individual Chapter 11 cases and simple Chapter 11 cases, and debtor does not use the official court attachments for these forms, but provides its own custom form attachments deviating from the court form attachments, and provide much less information than required by the court form attachments. In this case, debtor's use of these court forms is really uninformative, and debtor should use more traditional, narrative form plan documents to cover the Metrocraft factors.

Appearances are required on 12/6/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/17/18, 2/21/18, 4/25/18

Docket 1

Courtroom Deputy:

[Motion for D/S filed on 6/8/18 and set for hrg on 7/18/18 at 11:00 a.m.]

Tentative Ruling:

Updated tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. No tentative ruling on the merits.
Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/10/17. No tentative ruling on the merits.
Appearances are required on 10/11/17, but counsel may appear by telephone.

Revised tentative ruling as of 7/25/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits, but the court notes that the cash flow projection described as Exhibit A was not attached to the status report. Appearances are required on 4/19/17 to discuss setting of claims bar date and further proceedings, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#6.00 Status conference re: Confirmation of plan
fr. 3/21/18, 4/25/18

Docket 62

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling. The disclosure statement does not contain adequate information. Regarding treatment of secured claims, the text in the plan refers to Article II, but no Article II is attached. Exhibit C to the plan refers to certain notes for each claim, but these notes do not adequately spell out the treatment of the primary secured claim to Wells Fargo Bank, the senior secured lender for the loan on debtor's residence. The disclosure statement should have a more detailed description of how this claim will be treated under the plan. The plan itself is not much better. It is hard to tell what is being proposed for treatment of the claim. The disclosure statement and plan will have to be revised for sake of clarity. If this is a cramdown situation, it does not appear that a 40 year payout is fair and equitable for this creditor, and debtor should probably consider taking out this creditor when the loan matures under the existing terms. Appearances are required on 3/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Peter G. Kudrave

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/31/18, 3/21/18, 4/25/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits.
Appearances are required on 1/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
8/9/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 8/9/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

Peter G. Kudrave

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#7.10 Cont'd hearing re: Motion to withdraw and to continue confirmation hearing
fr. 7/3/18

Docket 85

Courtroom Deputy:

[S/C on Ch 11 case and S/C on confirmation of plan set on 7/11/18 at 11:00 a.m.]

Tentative Ruling:

No updated tentative ruling as of 7/9/18. Appearances are required on 7/11/18, but counsel may appear by telephone.

No updated tentative ruling as of 7/2/18. Appearances are required on 7/3/18, but counsel may appear by telephone.

No tentative ruling as of 7/2/18. Appearances are required on 7/3/18.

Party Information

Debtor(s):

Peter G. Kudrave

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/16/17, 11/15/17, 2/7/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 7/9/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. The court has reviewed debtors' status report, and the court is inclined to set a further status report in 90 days. No tentative ruling on the merits. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 11/15/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Paul Bodeau

Represented By
Lane K Bogard

Joint Debtor(s):

Sandra Bodeau

Represented By
Lane K Bogard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#9.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/24/18, 3/7/18, 5/9/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 7/9/18. The court has reviewed debtor's status report and request to continue the status conference. No tentative ruling on the merits. Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/18. The court has reviewed debtor's status report suggesting a continued status conference in about 60 days. No tentative ruling on the merits. Appearances are required on 3/7/18 to hear from other parties on status, including compliance with United States Trustee requirements, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#10.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/28/18, 3/21/18, 5/9/18

Docket 1

Courtroom Deputy:

[Cash collateral motion set on 7/18/18 at 11:00 a.m.]

Tentative Ruling:

Updated tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 2/28/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

People Who Care Youth Center, Inc. Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#11.00 Hearing re: Motion for limited extension of exclusivity periods for filing and seeking acceptances of plan of reorganization

Docket 88

Courtroom Deputy:

[S/C on chapter 11 case set on 8/29/18 at 11:00 a.m.]

Tentative Ruling:

Grant debtor's motion for limited extension of exclusivity periods for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 7/11/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#12.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/11/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. The proposed claims bar date of 5/15/18 will not be approved since this court generally requires at least 60 days notice to creditors of a claims bar date. The estimated administrative expenses in this case stated in the status report for \$250,000 to \$350,000 seem high, especially since debtors' budget motion and income and expense statements showing net income of about \$1,700 per month do not show that debtors have the ability to afford such expenses. There should be some explanation why the large amount of professional fee expenses estimated in the status report are needed in this case, and how debtors will be able to pay for these expenses (i.e., are they selling their real property to raise funds to pay for these fees). Appearances are required on 4/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#12.10 Hearing re: Motion for order approving and directing reimbursement of legal expenses incurred by president of Swing House 11 U.S.C. §§ 363(c)(1), 363(b)(1), and 503(b)

Docket 482

Courtroom Deputy:

[Stip to dismiss and appl. to convert set on 7/17/18 at 2:00 p.m.;
Motion to pay admin. expense claim set on 7/31/18 at 2:30 p.m.;
S/C on post confirmation of plan set on 10/3/18 at 11:00 a.m.]

Tentative Ruling:

No tentative ruling as of 7/9/18. Appearances are required on 7/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

Movant(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Kurt Ramlo

Jeffrey S Kwong

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:30 AM

2:11-53086 Derrick Darone Lightfoot

Chapter 11

#13.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 10/26/16, 5/10/17, 1/10/18

Docket 124

***** VACATED *** REASON: Final Decree entered; Debtor Discharged;
Case Closed on 4/26/18-mb.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Off calendar. The status conference is moot because a final decree has
been entered. No appearances are necessary.

Party Information

Debtor(s):

Derrick Darone Lightfoot

Represented By
Sylvia Lew

Movant(s):

Derrick Darone Lightfoot

Represented By
Sylvia Lew

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 11, 2018

Hearing Room 1675

11:30 AM

2:18-17424 San Pedro Waterfront LLC dba Ports O'Call Res

Chapter 11

Adv#: 2:18-01216 San Pedro Waterfront, LLC, dba Ports O'Call R v. City of Los Angeles, a

#14.00 Hearing re: Emergency motion for stay pending appeal of ruling denying debtor-in-possession's motion for temporary restraining order and preliminary injunction

Docket 32

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

San Pedro Waterfront LLC dba Ports

Represented By

David R Haberbush

Vanessa M Haberbush

Defendant(s):

City of Los Angeles, a municipal

Represented By

Allan H Ickowitz

Plaintiff(s):

San Pedro Waterfront, LLC, dba

Represented By

David R Haberbush

Vanessa M Haberbush

Lane K Bogard

Jayne Wilson dba Spirit Cruises

Represented By

David R Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, July 12, 2018

Hearing Room 1675

9:00 AM

2:16-26739 Kyong Don Chu

Chapter 7

Adv#: 2:17-01223 Nextwave Enterprises LLC v. Chu

#1.00 EVIDENTIARY HEARING RE: Plaintiff's motion for default judgment under LBR 7055-1 fr. 2/13/18, 4/3/18

Docket 19

***** VACATED *** REASON: Cont'd from 7/12/18 to 8/21/18 at 11:00 a.m per order entered on 7/6/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/9/18. Off calendar. Continued on the court's own motion to 8/21/18 at 11:00 a.m. No appearances are required on 7/12/18.

Prior tentative ruling as of 4/2/18. After reviewing the supplemental papers, the court believes that they are not sufficient to demonstrate the transfer of the subject property was fraudulent, and the court will set a hearing for plaintiff to offer evidence to prove up the fraudulent transfer, such as eyewitness testimony that defendant is continuing to operate his business and otherwise exercise dominion and control over the transferred property to deem it to be his. The court is considering ordering plaintiff to serve defendant with a subpoena to appear at the prove up hearing. Appearances are required on 4/3/18, but counsel may appear by telephone.

Prior tentative ruling. The court on its own motion is continuing the hearing and status conference to 4/3/18 at 1:30 p.m. for plaintiff to file supplemental briefing to demonstrate that the elements of a claim for fraudulent transfer either under state and/or federal law has been met setting forth the factual basis for the court to grant the motion for default judgment on its claims under 11 U.S.C. 523(a)(2)(A) and (a)(6). Plaintiff must file its supplemental brief citing the elements of a fraudulent transfer claim under state and/or federal law and any supplemental evidence showing that all of the elements of a fraudulent transfer claim has been met by 3/13/18. No appearances are required on 2/13/18.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, July 12, 2018

Hearing Room 1675

9:00 AM

CONT... **Kyong Don Chu**

Chapter 7

Debtor(s):

Kyong Don Chu

Represented By
M Teri Lim

Defendant(s):

Kyong Don Chu

Pro Se

Plaintiff(s):

Nextwave Enterprises LLC

Represented By
Ronald P Slates
Jesse Yanco

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, July 12, 2018

Hearing Room 1675

9:00 AM

2:16-26739 Kyong Don Chu

Chapter 7

Adv#: 2:17-01223 Nextwave Enterprises LLC v. Chu

#2.00 Cont'd status conference re: Complaint for nondischageability for: 1) Debts incurred through false pretenses, false representation or actual fraud under 11 U.S.C. §523(a)(2) (A); 2) Debts incurred through willful and malicious injury to property under 11 U.S.C. § 523(a)(6)
fr. 12/19/17, 2/13/18, 4/3/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/12/18 to 8/21/18 at 11:00 a.m
per order entered on 7/6/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/9/18. Off calendar. Continued on the court's own motion to 8/21/18 at 11:00 a.m. No appearances are required on 7/12/18.

Prior tentative ruling as of 4/2/18. See tentative ruling for matter number 4.

Prior tentative ruling as of 2/12/18. Off calendar. The court on its own motion is continuing the hearing and status conference to 4/3/18 at 1:30 p.m. for plaintiff to file supplemental briefing to demonstrate that the elements of a claim for fraudulent transfer either under state and/or federal law has been met setting forth the factual basis for the court to grant the motion for default judgment on its claims under 11 U.S.C. 523(a)(2)(A) and (a)(6). Plaintiff must file its supplemental brief citing the elements of a fraudulent transfer claim under state and/or federal law and any supplemental evidence showing that all of the elements of a fraudulent transfer claim has been met by 3/13/18. No appearances are required on 2/13/18.

Prior tentative ruling as of 12/18/17. No tentative ruling on the merits. Appearances are required on 12/19/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, July 12, 2018

Hearing Room 1675

9:00 AM

CONT... Kyong Don Chu
telephone.

Chapter 7

Updated tentative ruling as of 9/11/17. The court has reviewed plaintiff's unilateral status report, again stating that default has been entered against defendant and that plaintiff is preparing a motion for default judgment. Appearances are required on 9/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/5/17. The court has reviewed plaintiff's unilateral status report, stating that default has been entered against defendant and that plaintiff is preparing a motion for default judgment. The court on its own motion continues the status conference to 9/12/17 at 1:30 p.m. No appearances are required on 6/6/17.

Party Information

Debtor(s):

Kyong Don Chu

Represented By
M Teri Lim

Defendant(s):

Kyong Don Chu

Pro Se

Plaintiff(s):

Nextwave Enterprises LLC

Represented By
Ronald P Slates
Jesse Yanco

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, July 13, 2018

Hearing Room 1675

10:30 AM

2:18-17424 San Pedro Waterfront LLC dba Ports O'Call Res

Chapter 11

#1.00 Hearing re: Emergency motion for Debtor and Debtor-in-Possession to Pay Prepetition Payroll and Related Payroll Taxes and to Honor Prepetition Employment Procedures

Docket 19

Tentative Ruling:

No tentative ruling will be issued on the matter heard on shortened notice.
Appearances are required on 7/13/18, but counsel may appear by telephone.

Party Information

Debtor(s):

San Pedro Waterfront LLC dba Ports

Represented By

David R Haberbush

Vanessa M Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

10:30 AM

2:17-25749 Peter Michael Ulloa and Claudia Carina Ulloa

Chapter 7

Telephonic Hearing

#1.00 Hearing re: Motion for relief from stay
(Santander Consumer USA Inc., dba Chrysler Capital VS Debtors)

Docket 16

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Peter Michael Ulloa

Represented By
David Lozano

Joint Debtor(s):

Claudia Carina Ulloa

Represented By
David Lozano

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

10:30 AM

CONT... Peter Michael Ulloa and Claudia Carina Ulloa

Chapter 7

Movant(s):

Santander Consumer USA Inc, dba

Represented By
Jennifer H Wang

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

10:30 AM

2:18-14025 Nelly F Goicochea

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Wells Fargo Bank, N.A. VS Debtor)

Docket 12

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Nelly F Goicochea

Represented By
Kenneth W Moffatt

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

10:30 AM

2:18-15414 Myrna Cisneros

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Santander Consumer USA, Inc. VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Myrna Cisneros

Represented By
Jennifer Ann Aragon

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

10:30 AM

2:18-16234 Melodie Doranne McElliott

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Stuart and Julie Whitehair VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Melodie Doranne McElliott

Represented By
Khachik Akhkashian

Movant(s):

Julie Whitehead

Represented By
Richard P Petersen

Stuart Whitehair

Represented By
Richard P Petersen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

10:30 AM

CONT... Melodie Doranne McElliott

Chapter 7

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

10:30 AM

2:18-16387 Salvador Cruz

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Henry Young VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 9 and 11 for lack of legal and/evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). If movant wants to brief extraordinary relief request, the court will continue the hearing so movant can file a brief showing entitlement to such relief. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Salvador Cruz

Pro Se

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

11:00 AM

2:17-17863 Sharon Kelly

Chapter 7

Adv#: 2:17-01415 Gross v. Kelly

#6.00 Cont'd hearing re: Motion for summary judgment, or alternatively for summary adjudication of the 1st and 2nd claims for relief

fr. 4/24/18, 5/23/18, 5/30/15

Docket 39

***** VACATED *** REASON: Cont'd from 7/17/18 at 9/18/18 at 11:00 a.m.
per order entered on 7/12/18-mb**

Tentative Ruling:

Updated tentative ruling as of 7/16/18. Off calendar. Continued by stipulation and order to 9/18/18 at 11:00 a.m. No appearances are required on 7/17/18.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/30/18, but counsel may appear by telephone.

Revised tentative ruling as of 4/23/18 at 5:30 p.m. Off calendar. The court is issuing a written order continuing the hearing on the motion to 5/23/18 at 1:30 p.m. The order requires the parties to redact personal identifier information in their papers as required by FRBP 7037 and LBR 7037-1. The parties improperly stated the names of minor children and other personal identifiers in their papers. The parties also cited to numerous unreported court decisions in their papers and failed to provide the court with unmarked, complete copies of these decisions as required by LBR 9013-2(c)(3)(D). No appearances are required on 4/24/18.

Party Information

Debtor(s):

Sharon Kelly

Represented By
Richard T Baum

Defendant(s):

Sharon Kelly

Represented By
Cassandra K. Riles

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

11:00 AM

CONT... Sharon Kelly

Chapter 7

Movant(s):

Mark P. Gross

Represented By
Gary A Starre

Plaintiff(s):

Mark P. Gross

Represented By
Gary A Starre

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

11:00 AM

2:17-17863 Sharon Kelly

Chapter 7

Adv#: 2:17-01415 Gross v. Kelly

#7.00 Cont'd status conference re: Complaint to determine non-dischargeability of debt pursuant to 11 U.S.C. §§ 523(a)(5) and (15) fr. 11/14/17, 1/16/18, 5/30/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/17/18 at 9/18/18 at 11:00 a.m. per order entered on 7/12/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/16/18. Off calendar. Continued by stipulation and order to 9/18/18 at 11:00 a.m. No appearances are required on 7/17/18.

Prior tentative ruling as of 1/12/18. The court has reviewed the joint status report. Set a discovery cutoff date of 6/30/18 and a further postdiscovery status conference for 7/17/18 at 1:30 p.m. with a joint status report due on 7/10/18. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 1/31/18 and complete mediation by 7/17/18. Appearances are required on 1/16/18, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Prior tentative ruling as of 11/13/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Sharon Kelly

Represented By
Richard T Baum

Defendant(s):

Sharon Kelly

Pro Se

Plaintiff(s):

Mark P. Gross

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

11:00 AM

CONT... Sharon Kelly

Chapter 7

Gary A Starre

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

1:30 PM

2:15-11554 Velocity Regional Center, LLC

Chapter 7

Adv#: 2:17-01128 Leslie v. Edward C. Lee, CPA

#8.00 Cont'd status conference re: Complaint for: (1) avoidance of voidable transfers; and (2) recovery of avoided transfers [11 U.S.C. §§ 544 and 550] fr. 2/20/18, 4/17/18, 5/29/18

Docket 1

***** VACATED *** REASON: Dismissed per order entered on 6/6/18-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by stipulation and order. No appearances are required on 7/17/18.

Party Information

Debtor(s):

Velocity Regional Center, LLC

Represented By
Stephen B Mashney
Jerome D Stark

Defendant(s):

Edward C. Lee, CPA

Pro Se

Plaintiff(s):

Sam Leslie

Represented By
Carmela Pagay

Trustee(s):

Sam S Leslie (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

1:30 PM

2:17-11972 Beverly Monique Murray-Calcote

Chapter 7

Adv#: 2:17-01488 Pette v. Murray-Calcote

#9.00 Cont'd status conference re: Nondischargeability of pending lawsuits pursuant to 11 U.S.C. §523(a)(6) and/or 11 U.S.C. §727(a)(4)(A)(B) fr. 12/5/17

Docket 1

***** VACATED *** REASON: Main case dismissed on 2/1/18, adv. proceeding closed on 6/7/18-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding is moot from dismissal of main bankruptcy case. No appearances are necessary.

Party Information

Debtor(s):

Beverly Monique Murray-Calcote

Represented By
Julie J Villalobos

Defendant(s):

Beverly Monique Murray-Calcote

Pro Se

Plaintiff(s):

Larnita Pette

Pro Se

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Noreen A Madoyan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

1:30 PM

2:17-17761 Paul Bodeau

Chapter 11

Adv#: 2:17-01455 Oggi's Pizza and Brewing Company v. Bodeau et al

#10.00 Cont'd status conference re: Removal of state court action to bankruptcy court and filing of underlying pleadings
fr. 10/3/17, 12/5/17

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/16/18. The court has reviewed the joint status report. Appearances are required on 7/17/18 to discuss the status of the mediation, timing of expert witness discovery and scheduling of pretrial conference and trial. Appearances are required on 7/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. The court has reviewed the joint status report. Set a discovery cutoff date of 6/30/18 and a further postdiscovery status conference for 7/17/18 at 1:30 p.m. with a joint status report due on 7/10/18. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 1/31/18 and complete mediation by 7/17/18. Appearances are required on 12/5/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/3/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

1:30 PM

CONT... Paul Bodeau

Chapter 11

Defendant(s):

Paul Bodeau	Pro Se
Sandra Bodeau	Pro Se
Kevin Michael Bodeau	Pro Se
Bodeau Enterprises	Pro Se
DOES 1-50	Pro Se

Joint Debtor(s):

Sandra Bodeau	Represented By Lane K Bogard David R Haberbusch Vanessa M Haberbusch
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Plaintiff(s):

Oggi's Pizza and Brewing Company	Represented By Louis H Altman
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

1:30 PM

2:17-17863 Sharon Kelly

Chapter 7

Adv#: 2:17-01415 Gross v. Kelly

#11.00 Cont'd status conference re: Complaint to determine non-dischargeability of debt pursuant to 11 U.S.C. §§ 523(a)(5) and (15) fr. 10/24/17, 11/14/17, 1/16/18

Docket 1

***** VACATED *** REASON: Per hearing on 5/30/18 matter advanced to 11:00 a.m. calendar from 1:30 p.m. Cont'd from 7/17/18 at 9/18/18 at 11:00 a.m. per order entered on 7/12/18-mb**

Tentative Ruling:

Updated tentative ruling as of 7/16/18. Off calendar. Continued to 9/18/18 at 11:00 a.m. by prior order. No appearances are required on 7/17/18.

Prior Updated tentative ruling as of 1/12/18. The court has reviewed the joint status report. Set a discovery cutoff date of 6/30/18 and a further postdiscovery status conference for 7/17/18 at 1:30 p.m. with a joint status report due on 7/10/18. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 1/31/18 and complete mediation by 7/17/18. Appearances are required on 1/16/18, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Prior tentative ruling as of 11/13/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Sharon Kelly

Represented By
Richard T Baum

Defendant(s):

Sharon Kelly

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

1:30 PM

CONT... Sharon Kelly

Chapter 7

Plaintiff(s):

Mark P. Gross

Represented By
Gary A Starre

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

1:30 PM

2:17-17972 Sion Javaheri

Chapter 7

Adv#: 2:18-01105 Krasnoff, Chapter 7 Trustee v. Javaheri et al

#12.00 Cont'd status conference re: Trustee's complaint: (1) to avoid and recover voidable transfer; and (2) for turnover fr. 6/19/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/17/18 to 8/21/18 at 1:30 p.m. per stip & order entered on 6/20/18-pj.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 8/21/18 at 1:30 p.m. No appearances are required on 7/17/18.

Party Information

Debtor(s):

Sion Javaheri

Represented By
Edmond Nassirzadeh

Defendant(s):

Jilla Javaheri

Pro Se

Jilla Javaheri, Trustee of the Jilla H.

Pro Se

Plaintiff(s):

Brad D. Krasnoff, Chapter 7 Trustee

Represented By
Sonia Singh

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel
Sonia Singh

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01035 Grand View Financial, LLC v. Nations Direct Mortgage, LLC et al

#13.00 Cont'd status conference re: Complaint for: (1) Declaratory relief; (2) Disallowance of any claims of PennyMac Loan Services, LLC; and (3) Violation of fair debt collection practices act
fr. 4/10/18, 6/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/16/18. Off calendar. The court has reviewed the joint status report requesting a continuance of the status conference in light of pending settlement discussions, and the court on its own motion continues the status conference to 10/2/18 at 1:30 p.m. No appearances are required on 7/17/18. Counsel for plaintiff to notify counsel for defendants of the continuance.

Prior tentative ruling. The court has reviewed the joint status report suggesting that the status conference be continued until late May 2018 because the pleadings are not yet at issue. The court continues the status conference on its own motion to 6/5/18 at 1:30 p.m., and a further joint status report must be filed on or before 5/29/18. No appearances are required on 4/10/18. Counsel for plaintiff is to give notice to counsel for defendants.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Nations Direct Mortgage, LLC

Pro Se

Mortgage Electronic Registration

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

1:30 PM

CONT... Grand View Financial LLC

Chapter 11

Fidelity National Title aka Fidelity Pro Se

PennyMac Loan Services, LLC Pro Se

PennyMac Corp. Pro Se

Massachusetts Mutual Life Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

1:30 PM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01144 Shadsirat v. Zargar et al

#14.00 Status conference re: Complaint (1) objecting to dischargeability of debt pursuant to 11 U.S.C. §523(a)(2); (2) objecting to dischargeability of debt pursuant to 11 U.S.C. § 523(a)(4); (3) objecting to dischargeability of debt pursuant to 11 U.S.C. §523(a)(6); and, (4) for declaratory relief requesting adjudication of pending state court lawsuits

Docket 1

Tentative Ruling:

No tentative ruling as of 7/16/18. Appearances are required on 7/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Pro Se

Shabnam Mesachi

Pro Se

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

1:30 PM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01205 Shadsirat v. E-Z Cash ATM Inc

#15.00 Status conference re: Removal of State Court Action

Docket 1

Tentative Ruling:

No tentative ruling as of 7/16/18. Appearances are required on 7/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

E-Z Cash ATM Inc

Represented By
M.H. Tony Kamran, Esq

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Robert Gentino

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

1:30 PM

2:18-11726 Masoud Fallah Moghadam

Chapter 7

Adv#: 2:18-01143 American Express National Bank v. Moghadam

#16.00 Status conference re: Complaint to determine dischargeability of debt

Docket 1

Tentative Ruling:

No tentative ruling as of 7/16/18. Appearances are required on 7/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Masoud Fallah Moghadam	Pro Se
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Defendant(s):

Masoud Fallah Moghadam	Pro Se
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Plaintiff(s):

American Express National Bank	Represented By Dennis Winters
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Trustee(s):

Brad D Krasnoff (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#17.00 Cont'd hearing re: Application to convert case to chapter 7 cased upon debtor's failure to comply with prior court order
fr. 4/2/18, 4/25/18, 5/16/18

Docket 314

***** VACATED *** REASON: Matter of Philip Joseph Jaurigui (16-24760-RK) converted to Chapter 7 per stip & order entered on 7/12/18-mb.**

Tentative Ruling:

Off calendar. Matter resolved by stipulation and order converting the case to Chapter 7. No appearances are necessary.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#18.00 Cont'd hearing re: Stipulation to dismiss case with judgment for payment of quarterly fees
fr. 5/16/18

Docket 373

Tentative Ruling:

Updated tentative ruling as of 7/16/18. Off calendar. The stipulation to dismiss the individual debtor's Chapter 11 case is moot because the case has been converted by stipulation and order to Chapter 7. No appearances are required on 7/17/18.

No tentative ruling as of 5/11/18. Appearances are required on 5/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:00 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

#19.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/21/18, 4/2/18, 5/16/18

Docket 1

***** VACATED *** REASON: Case converted to Chapter 7 per stip &
order entered on 7/12/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/16/18. Off calendar. The Chapter 11 status conference is moot because the case has been converted by stipulation and order to Chapter 7. No appearances are necessary.

Prior tentative ruling as of 5/11/18. The court will discuss the pending stipulation of Debtor and the United States Trustee to dismiss his bankruptcy case, which has been objected to by Creditor Jonathan Mover. Appearances are required on 5/16/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:00 PM

CONT... Philip Joseph Jaurigui

Chapter 7

Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/17. No tentative ruling on the merits. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/11/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. No tentative ruling on the merits. Appearances are required on 6/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/6/17. Hearing rescheduled to 2:30 p.m. Appearances are required at 2:30 p.m. No tentative ruling on the merits.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits. Appearances are required on 5/2/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. No tentative ruling on the merits. Appearances are required on 4/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/11/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:00 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:17-01245 7175 WB, LLC v. Jaurigui

#20.00 Cont'd status conference re: Complaint to determine nondischargeability of debt
(11 U.S.C. §§523(a)(2) and (a)(6))
fr. 3/21/18, 4/2/18, 5/16/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 7/16/18. Appearances are required on 7/17/18, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/18. Appearances are required on 5/16/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:00 PM

CONT... **Philip Joseph Jaurigui**
telephone.

Chapter 7

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Updated tentative ruling as of 11/6/17. No tentative ruling on the merits. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/11/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/27/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

7175 WB, LLC

Represented By
Michael D Good

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

#21.00 Hearing re: Trustee's motion for order authorizing sale of note and deed of trust free and clear of liens and interest, subject to higher and better offers, and approving overbidding procedures

Docket 465

Tentative Ruling:

No tentative ruling as of 7/16/18. Appearances are required on 7/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kathleen Kellogg-Taxe

Represented By
Miri Kim Wakuta
Gregory M Salvato

Trustee(s):

Carolyn A Dye (TR)

Represented By
Carolyn A Dye (TR)
James A Dumas Jr
Miri Kim Wakuta
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#22.00 Hearing re: Application of the debtor and debtor-in-possession to employ Foley & Lardner LLP as general bankruptcy counsel nunc pro tunc

Docket 569

Tentative Ruling:

Approve application for authorization of employment of general bankruptcy counsel for debtor in possession for the reasons stated in the application. Appearances are required on 7/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:14-21532 TIFKAH

Chapter 7

#23.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[John J. Menchaca, Chapter 7 Trustee]

Docket 383

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 7/17/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

TIFKAH

Represented By
Jon L Dalberg

Trustee(s):

John J Menchaca (TR)

Represented By
Uzzi O Raanan ESQ
Steven J Schwartz
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:14-21532 TIFKAH

Chapter 7

#24.00 Hearing re: Application for fees and expenses
[Danning, Gill, Diamond & Kollitz, LLP, Attorney for Chapter 7 Trustee]

Docket 382

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 7/17/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

TIFKAH

Represented By
Jon L Dalberg

Trustee(s):

John J Menchaca (TR)

Represented By
Uzzi O Raanan ESQ
Steven J Schwartz
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:14-21532 TIFKAH

Chapter 7

#25.00 Hearing re: Application for fees and expenses
[Menchaca & Company LLP, Accountant for Chapter 7 Trustee]

Docket 381

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 7/17/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

TIFKAH

Represented By
Jon L Dalberg

Trustee(s):

John J Menchaca (TR)

Represented By
Uzzi O Raanan ESQ
Steven J Schwartz
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1575 Calendar**

Tuesday, July 17, 2018

Hearing Room 1575

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#26.00 Hearing re: Motion (Renewed) by the Chapter 7 Trustee to Quash Subpoena seeking personal financial information of Roberto C. Farfan served on Mountain West Financial

Docket 309

Tentative Ruling:

No tentative ruling on the merits in light of debtor's opposition to the motion. Appearances are required on 7/17/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Movant(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Marc Weitz

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Marc Weitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

#27.00 Hearing re: Motion to withdraw as debtor's bankruptcy counsel

Docket 150

Tentative Ruling:

No tentative ruling as of 7/16/18. Appearances are required on 7/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh
Michael Jay Berger

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01217 Gonzalez v. Brown et al

#28.00 Hearing re: Motion to withdraw as defendant's bankruptcy counsel

Docket 118

Tentative Ruling:

No tentative ruling as of 7/16/18. Appearances are required on 7/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh
Michael Jay Berger

Defendant(s):

Robert Anthony Brown

Represented By
Robert A Brown

Law Office of Robert Brown

Represented By
Robert A Brown

Acquiplied Assets, B.T.

Represented By
Robert A Brown

Wladimir John Klimenko

Represented By
Michael Jay Berger

Wladimir J. Klimenko Living Trust

Represented By
Michael Jay Berger

BANK OF THE WEST

Represented By
Brian T Harvey

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

CONT... Wladimir John Klimenko

Chapter 7

Plaintiff(s):

Rosendo Gonzalez

Represented By
Sarah Cate Hays
D Edward Hays
Laila Masud

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:17-13966 La Tonya Deonne Jackson

Chapter 7

#29.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Jason M. Rund, Chapter 7 Trustee]

Docket 32

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 7/17/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

La Tonya Deonne Jackson

Represented By
Raj T Wadhvani

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:17-13966 La Tonya Deonne Jackson

Chapter 7

#30.00 Hearing re: Application for fees and expenses
[Hahn Fife & Company LLP, Accountant for Chapter 7 Trustee]

Docket 25

Tentative Ruling:

Since the court has granted trustee's prior motion to employ and pay the tax preparer, there is no need for a separate hearing as to the compensation of the tax preparer aside from being considered as part of the trustee's final report. Appearances are optional on 7/17/18, but trustee and applicant may appear by telephone.

Party Information

Debtor(s):

La Tonya Deonne Jackson

Represented By
Raj T Wadhvani

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#31.00 Cont'd hearing re: Chapter 7 trustee's motion to extend deadline to commence action under 11 U.S.C. § 727 fr. 6/19/18

Docket 232

Tentative Ruling:

Updated tentative ruling as of 7/16/18. No tentative ruling on the merits in light of debtor's opposition to the motion. Appearances are required on 7/17/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Grant trustee's motion to extend deadline to commence action under 11 U.S.C. 727 for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Eugen Valentin Dietl

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Aram Ordubegian
Annie Y Stoops
M Douglas Flahaut

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:17-17148 Erika Lynette Ewing

Chapter 7

#32.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Howard M. Ehrenberg, Chapter 7 Trustee]

Docket 47

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 7/17/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Erika Lynette Ewing

Represented By
Robert W Northup Jr

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:18-10170 Min Jeong Min

Chapter 7

Adv#: 2:18-01086 Kosma Tex v. Min

#33.00 Hearing re: Motion of defendant to set aside entry of default

Docket 14

Tentative Ruling:

The motion is procedurally defective because the statements made therein are not supported by a declaration under penalty of perjury as required by LBR 9013-1(c)(3)(A), FRBP 9006(d) and 28 U.S.C. 1746(2). Movant will need to submit a supporting declaration for the court to grant the motion. Appearances are required on 7/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Min Jeong Min

Represented By
Young K Chang

Defendant(s):

Min Jeong Min

Represented By
Young K Chang

Plaintiff(s):

Kosma Tex

Represented By
Vahe Khojayan

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

Adv#: 2:18-01139 People Who Care Youth Center, Inc. v. Ammec, Inc. et al

#34.00 Hearing re: Motion to dismiss for lack of personal jurisdiction

Docket 6

Tentative Ruling:

Grant in part and deny in part defendant Curtis's motion to dismiss for lack of personal jurisdiction because service on defendant was improper and did not meet the requirements of FRBP 7004(b)(3). The proof of service of the summons and complaint does not show proper mail service on defendant Curtis because the proof of service of the summons and complaint does not show that she was served at her residential or regular business address, and the post office box address does not count because it has an incomplete zip code and is thus inaccurate. Deny request to dismiss for lack of personal jurisdiction because the remedy for defective service of process is to quash service and grant leave to effect proper service. Appearances are required on 7/17/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.	Represented By John-Patrick M Fritz
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Defendant(s):

Ammec, Inc.	Pro Se
Greta Curtis	Pro Se

Plaintiff(s):

People Who Care Youth Center, Inc.	Represented By John-Patrick M Fritz David B Golubchik
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

Adv#: 2:18-01139 People Who Care Youth Center, Inc. v. Ammec, Inc. et al

#35.00 Hearing re: Plaintiff's motion for default judgment

Docket 16

Tentative Ruling:

Deny debtor's motion for entry of default judgment because service on defendants was improper and did not meet the requirements of FRBP 7004(b)(1) and (3). Default was improvidently entered against defendant Ammec Inc. because the proof of service of the summons and complaint does not show proper mail service to it at its mailing address on the California Secretary of State reporting forms to the attention of an officer, managing or general agent under FRBP 7004(b)(3) and as to defendant Curtis because the proof of service of the summons and complaint does not show that she was served at her residential or regular business address, and the post office box address does not count because it has an incomplete zip code and is thus inaccurate. Appearances are required on 7/17/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.	Represented By John-Patrick M Fritz
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Defendant(s):

Ammec, Inc.	Represented By John Barriage
Greta Curtis	Pro Se

Plaintiff(s):

People Who Care Youth Center, Inc.	Represented By John-Patrick M Fritz David B Golubchik
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

CONT... People Who Care Youth Center, Inc.

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

Adv#: 2:18-01139 People Who Care Youth Center, Inc. v. Ammec, Inc. et al

#36.00 Hearing re: Motion to set aside default and dismiss for lack of personal jurisdiction, request for sanctions in the amount of \$2,500.00 against People Who Care Youth Center, Inc. and John-Patrick M. Fritz, Esq. pursuant to Bankr. R. 9011

Docket 13

Tentative Ruling:

Grant in part and deny in part defendants' motion to set aside default, to dismiss for lack of personal jurisdiction and requesting sanctions. Grant request to set aside default because service on defendants was improper and did not meet the requirements of FRBP 7004(b)(1) and (3). Default was improvidently entered against defendant Ammec Inc. because the proof of service of the summons and complaint does not show proper mail service to it at its mailing address on the California Secretary of State reporting forms to the attention of an officer, managing or general agent under FRBP 7004(b)(3) and as to defendant Curtis because the proof of service of the summons and complaint does not show that she was served at her residential or regular business address, and the post office box address does not count because it has an incomplete zip code and is thus inaccurate. Deny request to dismiss for lack of personal jurisdiction because the remedy for defective service of process is to quash service and grant leave to effect proper service. Deny request for sanctions because defendants did not comply with the prefiling requirements of FRBP 9011(c)(1)(A) by providing an opportunity to plaintiff to withdraw the challenged pleading within 21 days of service of the motion for sanctions. This was not done, and defendant Curtis did not meet this requirement by serving the motion on plaintiff and not giving plaintiff 21 days to withdraw the challenged pleading before filing the motion. Appearances are required on 7/17/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

CONT... People Who Care Youth Center, Inc.

Chapter 11

John-Patrick M Fritz

Defendant(s):

Ammec, Inc.

Represented By
John Barriage

Greta Curtis

Pro Se

Plaintiff(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#37.00 Hearing re: Motion to extend exclusive period to propose and solicit approval of plan of reorganization

Docket 59

Tentative Ruling:

No tentative ruling as of 7/16/18. Appearances are required on 7/17/18, but counsel may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01144 Shadsirat v. Zargar et al

#38.00 Hearing re: Motion to dismiss complaint of Behrouz Shadsirat for lack of standing, failure to state a claim upon which relief can be granted

Docket 7

Tentative Ruling:

No tentative ruling as of 7/16/18. Appearances are required on 7/17/18, but counsel may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Shabnam Mesachi

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:18-12964 Placemark Properties LLC

Chapter 7

#39.00 Hearing re: Motion for reconsideration of motion for relief from stay/continue motion to convert to chapter 11

Docket 48

Tentative Ruling:

No tentative ruling as of 7/16/18. Appearances are required on 7/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Placemark Properties LLC	Pro Se
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Trustee(s):

Howard M Ehrenberg (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 17, 2018

Hearing Room 1675

2:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

Adv#: 2:18-01139 People Who Care Youth Center, Inc. v. Ammec, Inc. et al

#40.00 Cont'd status conference re: Complaint for: (1) Slander of title; (2) Disallowance of claim [11 U.S.C. §502(b)]; (3) Avoidance of lien; [FRBP 7001]; (4) Declaratory relief; (5) Punitive damages; and (6) Attorneys' fees and costs fr. 7/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/16/18. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 7/17/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report and continues the status conference on its own motion to 7/17/18 at 2:30 p.m., the date and time of the hearings on defendant Curtis's motion to dismiss and defendant Ammec's motion to set aside default. Plaintiff to give written notice of continuance of status conference. No appearances are required on 7/10/18.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.	Represented By John-Patrick M Fritz
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Defendant(s):

Ammec, Inc.	Pro Se
Greta Curtis	Pro Se

Plaintiff(s):

People Who Care Youth Center, Inc.	Represented By John-Patrick M Fritz David B Golubchik
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#1.00 Hearing re: Motion for order authorizing and approving adequacy of debtor's disclosure statement describing debtor's first amended chapter 11 plan

Docket 217

Tentative Ruling:

No tentative ruling as of 7/16/18. Appearances are required on 7/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#1.10 Cont'd status conference re: Management of chapter 11 case
fr. 2/21/18, 4/25/18, 7/11/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. No tentative ruling on the merits.
Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/10/17. No tentative ruling on the merits.
Appearances are required on 10/11/17, but counsel may appear by
telephone.

Revised tentative ruling as of 7/25/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
7/26/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits, but the court notes that the cash flow projection
described as Exhibit A was not attached to the status report. Appearances
are required on 4/19/17 to discuss setting of claims bar date and further
proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Joon M Khang

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

- #2.00** Cont'd hearing re: Motion of defendant B & O Logistics to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 3/20/18, 5/1/18, 6/19/18

Docket 8

Tentative Ruling:

Updated tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court agrees with defendants that actions to set aside fraudulent transfers of assets of a bankruptcy debtor belongs to the bankruptcy estate and may be the basis for a motion to dismiss because actions to collect upon assets of the estate are subject to the automatic stay and relief from stay has not been obtained by the plaintiffs. In re MortgageAmerica Corp., 714 F.2d 1266, 1275 (5th Cir. 1983); In re Curry & Sorenson, Inc., 57 B.R. 824, 827-828 (9th Cir. BAP 1986); but see, In re Colonial Realty Co., 980 F.2d 125, 130-132 (2nd Cir. 1992). As noted by plaintiffs, there is a division in circuit authority as to whether property of the bankruptcy estate includes property subject to a fraudulent transfer avoidance action is part of the bankruptcy estate before the avoidance action. See Peter Spero, Fraudulent Transfers, Prebankruptcy Planning and Exemptions, Section 3.3 (Westlaw online Sept. 2017 update), citing, In re MortgageAmerica Corp., supra; In re Colonial Realty Co., supra; Rajala v. Garner, 709 F.3d 1031 (10th Cir. 2013); In re Allen, 768 F.3d 274 (3rd Cir. 2014). There is no definitive case authority in the Ninth Circuit, though the Bankruptcy Appellate Panel of the Ninth Circuit has stated that a fraudulent

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

transfer avoidance action to recover property fraudulently transferred by a bankruptcy debtor is an asset of the debtor's bankruptcy estate. In re Curry & Sorenson, Inc., supra. The court will follow the BAP rule in Curry & Sorenson, Inc., as the current law of the Ninth Circuit.

Having said this, however, before the court rules on defendants' motions to dismiss, the court notes that plaintiffs could obtain authority of this court to allow them as parties other than the trustee or debtor-in-possession to pursue litigation on behalf of the estate (as opposed for themselves only). In re Curry & Sorenson, Inc., supra; In re Spauding Composites Co., 207 B.R. 899, 903 (9th Cir. BAP 1997). If plaintiffs are seeking to enforce their own interests as creditors, the court would thus grant the motions to dismiss, but if plaintiffs are seeking authorization from the court to pursue the litigation on behalf of the estate and its creditors, they should file and serve an appropriate motion, and the court would consider it subject to hearing from other interested parties.

Deny request for an order to show cause and/or sanctions for violation of stay since the stay is not intended to protect non debtor parties. 11 U.S.C. 362(a); see also, Ingersoll-Rand Financial Corp. v. Miller Mining Co., 817 F.2d 1424, 1427 (9th Cir. 1987). Moreover, it would be difficult to show civil contempt here that plaintiffs willfully violated a specific and definite order of the court by clear and convincing evidence, see, e.g., In re Dyer, 322 F.3d 1178. 1190-1191 (9th Cir. 2003), in bringing the fraudulent transfer action against defendants, given the uncertainty of the law as indicated by the lack of definitive case authority in the Ninth Circuit and otherwise divided circuit authority on the question of whether a fraudulently transferred property before avoidance is property of a debtor's bankruptcy estate circuit.

Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#3.00 Cont'd hearing re: Motion of defendant Ji Kun Lim's to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 3/20/18, 5/1/18, 6/19/18

Docket 13

Tentative Ruling:

Updated tentative ruling as of 7/16/18. No tentative ruling on the merits.
Appearances are required on 7/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Gregory S Kim

Movant(s):

Ji Kun Lim

Represented By
Mette H Kurth

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#4.00 Cont'd hearing re: Motion for authority to prosecute claims on behalf of the bankruptcy estate
fr. 6/19/18

Docket 43

Tentative Ruling:

Updated tentative ruling as of 7/16/18. No tentative ruling on the merits.
Appearances are required on 7/18/18, but counsel may appear by telephone.

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#5.00 Cont'd hearing re: Joint motion of defendants and debtor to stay adversary proceeding and related deadlines and hearings fr. 6/19/18

Docket 44

Tentative Ruling:

Updated tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#6.00 Cont'd status conference re: Removal of state court action to the United States Bankruptcy Court, Central District, Los Angeles Division
fr. 4/3/18, 5/1/18, 6/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/16/18. No tentative ruling on the merits.
Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits.
Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court continues the status conference on its own motion to 5/1/18 at 3:00 p.m. to be conducted with the further hearings on defendants' motion to dismiss and in light of plaintiffs' consideration of filing a motion for authorization to prosecute the fraudulent transfer claims on behalf of the estate. No appearances are required on 4/3/18.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Pro Se

Michael Beom Lee

Pro Se

Sam Kim

Pro Se

Yoon Lee

Pro Se

Chang Won Choi

Pro Se

Joon Rhee

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#7.00 Hearing re: First interim application for compensation and reimbursement of expenses of Michael Jay Burger

Docket 71

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#7.10 Cont'd status conference re: Management of chapter 11 case
fr. 3/21/18, 5/9/18, 7/11/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/16/18. No tentative ruling on the merits.
Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 2/28/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

People Who Care Youth Center, Inc. Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#8.00 Hearing re: Motion for authority to (A) enter into real property lease; (B) use cash collateral; (C) provide adequate protection; and (D) pay commission to real estate broker

Docket 41

Tentative Ruling:

No tentative ruling as of 7/16/18. Appearances are required on 7/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:00 AM

2:18-17263 8800 LLC

Chapter 11

#8.10 Final hearing re: Debtor's emergency motion for entry of an order: (1) authorizing use of cash collateral on interim basis; and (2) scheduling final hearing pursuant to bankruptcy rule 4001(B) fr. 7/5/18

Docket 13

Tentative Ruling:

Updated tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling will be issued for the motion heard on shortened notice. Appearances are required on 7/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:30 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#9.00 Hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 255

Tentative Ruling:

No tentative ruling as of 7/16/18. Appearances are required on 7/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, July 18, 2018

Hearing Room 1675

11:30 AM

2:16-15233 Kristine Lynn Heicke

Chapter 11

#10.00 Hearing re: Motion under 11 U.S.C. §1112(b) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 135

***** VACATED *** REASON: Resolved per stip & order entered on 7/6/18-
mb.**

Tentative Ruling:

Off calendar. Motion resolved by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

Kristine Lynn Heicke

Represented By
Daniel King
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, July 27, 2018

Hearing Room 1675

9:00 AM

2:18-13759 Charles Peters

Chapter 11

#1.00 EVIDENTIARY HEARING RE: Motion for relief from stay
(County of Riverside VS Debtor)
fr. 5/22/18

Docket 20

***** VACATED *** REASON: Cont'd from 7/27/18 to 10/4/18 at 9:00 a.m.
per stip & order entered on 7/16/18-mb.**

Courtroom Deputy:

[Cont'd from 7/27/18 to 10/4/18 at 9:00 a.m. per stip & order entered on 7/16/18]

Tentative Ruling:

Treat as a contested matter under FRBP 9014 since there are disputed issues of material fact regarding debtor's good faith in filing this case and whether the filing of debtor's petition was part of a scheme to hinder, delay or defraud creditors. The court will conduct the hearing as a status conference, and the parties should be prepared to discuss scheduling of an evidentiary hearing. Appearances are required on 5/22/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#1.00 Cont'd hearing re: Motion for relief from stay
(Western Plaza Capital Holding, LLC VS Debtor)

Docket 502

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies, and grant request for extraordinary relief in paragraph 9, for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#2.00 Hearing re: Motion for relief from stay
(The Bank of New York Mellon VS Debtor)

Docket 268

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers, which is not opposed by debtor as stated in its limited opposition, except as to any finding of bad faith and the request for waiver of the 14-day waiting period under FRBP 4001(a)(3). The court is inclined not to find that debtor engaged in bad faith based on this record. No tentative ruling as of the request for waiver of the 14 day waiting period under FRBP 4001(a)(3). Appearances are required on 7/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#3.00 Hearing re: Motion for relief from stay
(Bayview Loan Servicing, LLC VS Debtor)

Docket 274

Tentative Ruling:

Grant motion for stay relief under 11 U.S.C. 362(d)(1) for cause for the reasons stated in the moving and reply papers. Deny request for waiver of 14-day stay of enforcement under FRBP 4001(a)(3). Appearances are required on 7/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:17-21682 Jose Marin Soriano Equigua and Maria Ofelia Soriano

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(US Bank National Association VS Debtors)

Docket 26

Tentative Ruling:

Deny motion for relief from stay under 11 U.S.C. 362(d)(1). Although debtors lack standing to object to stay relief since the stay is terminated as to them from their discharge, the trustee has issued a notice of assets and possible creditor dividend in this case, which may include the 20% equity cushion in the subject property, which adequately protects movant's lien interest. In re Mellor, 734 F.2d 1396 (9th Cir. 1984). Appearances are required on 7/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Jose Marin Soriano Equigua

Represented By
Cynthia Grande

Joint Debtor(s):

Maria Ofelia Soriano

Represented By
Cynthia Grande

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#5.00 Hearing re: Motion for relief from stay
(Emma Borges VS Debtor)

Docket 135

Tentative Ruling:

Grant motion for relief from stay under 11 U.S.C. 362(d)(1) for cause for reasons stated in the moving papers because the objecting parties, specifically, debtor, have not shown that the the proceeds of the insurance policy are property of the estate affected by the automatic stay. In re Endoscopy Center of Southern Nevada, LLC, 451 B.R. 527, 542-547 (Bankr. D. Nev. 2011), citing, In re Edgeworth, 993 F.2d 51 (5th Cir. 1993).
Appearances are required on 7/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

Movant(s):

Emma Borges

Represented By
Thomas J Polis

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Ford Motor Credit Company LLC VS Debtor)

Docket 166

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:18-16172 Suzanne Castro

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(BMW Bank of North America VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Suzanne Castro

Represented By
Michael D Luppi

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:18-16450 Jorge Luis Hernandez

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(TD Auto Finance LLC VS Debtor)

Docket 8

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Jorge Luis Hernandez

Represented By
Francis Guilardi

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:18-16598 Nicholas Bowes and Luddivina Bowes

Chapter 7

#9.00 Hearing re: Motion for relief from stay
(Kinecta Federal Credit Union VS Debtors)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Nicholas Bowes

Represented By
Todd L Turoci

Joint Debtor(s):

Luddivina Bowes

Represented By
Todd L Turoci

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:18-16766 Amandine C Sandoval

Chapter 7

#10.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Amandine C Sandoval

Represented By
Mark La Rosa

Movant(s):

Toyota Motor Credit Corporation,

Represented By
Austin P Nagel

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:18-17257 Kara Marie Brown

Chapter 7

#11.00 Hearing re: Motion for relief from stay
(3639 2nd Street Apts., LLC VS Debtor)

Docket 16

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Kara Marie Brown

Pro Se

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:18-17263 8800 LLC

Chapter 11

#12.00 Hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)

8800 Sunset Boulevard
West Hollywood, California 90069
Ground Floor Restaurant Space and Adjacent Patio (aka Estrella)

Docket 35

***** VACATED *** REASON: Matter cont'd from 7/31/18 to 8/7/18 at
10:30 a.m. per notice filed on 7/10/18-mb.**

Tentative Ruling:

Off calendar. Continued to 8/7/18 at 10:30 a.m. by notice filed on 7/10/18.
No appearances are required on 7/31/18.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:18-17263 8800 LLC

Chapter 11

#13.00 Hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)

TMC Realty, LLC v. 8800 Sunset, LLC and 8800 LLC
LASC Case Number SC129282

Docket 34

***** VACATED *** REASON: Matter cont'd from 7/31/18 to 8/7/18 at
10:30 a.m. per notice filed on 7/10/18-mb.**

Tentative Ruling:

Off calendar. Continued to 8/7/18 at 10:30 a.m. by notice filed on 7/10/18.
No appearances are required on 7/31/18.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

2:18-17609 Samuel Young Oh

Chapter 11

#14.00 Hearing re: Motion for relief from stay
(Wedgewood Intermediary Fund I, LLC VS Debtor)

Docket 15

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers. Debtor needs to show why the court should not disregard his untimely opposition to the motion and consider his failure to timely oppose the motion as consent to granting of the motion under LBR 9013-1(h). Debtor's opposition due on 7/17/18 was filed on 7/25/18, over a week late. Assuming the court considers Debtor's late opposition on the merits, the court disagrees with Debtor's arguments in his opposition that the foreclosure of the deed of trust of movant's predecessor-in-interest, East West Bank, with knowledge of the automatic stay of another debtor to whom Debtor had transferred a fractional interest in the subject property somehow invalidates the foreclosure. Although the foreclosure occurred postpetition in the case of the other debtor, East West Bank obtained an order for retroactive annulment of stay in that case, and such order is a final, nonappealable order. Debtor apparently is seeking to vacate that stay annulment order in the now dismissed bankruptcy case of the other debtor, which does not seem likely to happen given Debtor's lack of standing to seek relief in that case.

Deny relief from stay pursuant to 11 U.S.C. 362(d)(4) since movant is the purchaser of the subject property at a foreclosure sale and not a secured creditor within the meaning of 11 U.S.C. 362(d)(4). In re Ellis, 523 B.R. 673 (9th Cir. BAP 2014).

Deny movant's requests for extraordinary relief in paragraphs 4, 8, 10 and 11 for lack of legal and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009); see also, In re Johnson, 346 B.R. 190 (9th Cir. BAP 2006); but see, In re 4th Street Investors, Inc., 474 B.R. 709 (Bankr. C.D. Cal. 2012). The court disagrees with the request to confirm that there is no stay in effect since there is no showing that the stay did not arise or otherwise is

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

10:30 AM

CONT... Samuel Young Oh

Chapter 11

terminated in this case, though it appears due to the prepetition foreclosure sale, the subject property is not property of the bankruptcy estate.

Deny the request for waiver of the 14-day waiting period under FRBP 4001(a) (3) in light of Debtor's opposition to the motion and possible taking of an appeal of the stay relief order.

Appearances are required on 7/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Samuel Young Oh

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01083 Diamond, Chapter 7 Trustee, Plaintiff v. Rana

#15.00 Cont'd status conference re: Complaint (1) To avoid and recover preferential transfers;
(2) To avoid and recover fraudulent or avoidable transfers; (3) For imposition
of constructive trust; (4) For unjust enrichment; (5) For turnover; and
(6) To disallow claims
fr. 5/23/17, 7/25/17, 9/5/17, 4/4/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/31/18 to 11/27/18 at 1:30 p.m.
per stip & order entered on 7/25/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Off calendar. Continued by stipulation and order to 11/27/18 at 1:30 p.m. No appearances are required on 7/31/18.

Prior tentative ruling as of 4/3/18. Off calendar. The court has reviewed the joint status report stating that the matter is settled and requesting a continuance of 90 to 120 days. The court on its own motion continues the status conference to 7/31/18 at 1:30 p.m., and a joint status report is due on 7/24/18. No appearances are required on 4/4/18, and counsel for plaintiff to notify counsel for defendant of the continuance.

No updated tentative ruling as of 9/1/17. Appearances are required on 9/5/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report advising that the matter is being settled. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Off calendar. The court has reviewed the joint status report requesting a 60 day continuance of the status conference

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

for the parties to consummate their settlement. The court on its own motion continues the status conference to 7/25/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 5/23/17.

Revised tentative ruling as of 3/20/17. Off calendar. The court has reviewed the joint status report as well as the supplement filed on 3/17/17 reporting that the parties reached a settlement during mediation and requesting a 60 day continuance of the status conference. The court on its own motion continues the status conference to 5/23/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling. Set discovery cutoff date of 12/31/16 and a further status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation, parties to submit request for selection of mediator and alternate by 7/31/16, and complete mediation by 1/17/16. If the parties agree to these dates, appearances are optional on 4/26/16, and plaintiff to submit proposed scheduling order within 7 days of hearing if the parties agree to these dates. If the parties do not agree to these rulings and dates or if parties wish to discuss status of matter at status conference, appearances are required on 4/26/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Aj Rana

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Trustee(s):

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01102 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#16.00 Cont'd pretrial conference re: Complaint for (1) to Avoid and Recover Fraudulent or Avoidable Transfers; (2) for Imposition of Constructive Trust; (3) for Unjust Enrichment; (4) for Turnover; and (5) to Disallow Claims
fr. 10/24/17, 3/20/18, 5/22/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/31/18 to 9/11/18 at 1:30 p.m.
per stip & order entered on 7/27/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Off calendar. Continued by stipulation and order to 9/11/18 at 1:30 p.m. No appearances are required on 7/31/18.

Prior tentative ruling as of 5/21/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings, including setting discovery cutoff, pretrial conference and trial dates, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Updated tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

CONT... **Corona Care Convalescent Corporation** **Chapter 7**

parties are discussing settlement and intend to agree to a 90 day continuance of the discovery cutoff date at defendant's request. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Raimon Mark Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01103 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#17.00 Cont'd pretrial conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) for Imposition of Constructive Trust; (3) for Unjust Enrichment; (4) for Turnover; and (5) to Disallow Claims
fr. 10/24/17, 3/20/18, 5/22/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/31/18 to 11/27/18 at 1:30 p.m.
per stip & order entered on 7/25/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Off calendar. Continued by stipulation and order to 11/27/18 at 1:30 p.m. No appearances are required on 7/31/18.

Prior tentative ruling as of 5/21/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings, including setting discovery cutoff, pretrial conference and trial dates, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that the parties are discussing settlement and intend to agree to a 90 day continuance

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation Chapter 7

of the discovery cutoff date at defendant's request. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Michael Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01104 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#18.00 Cont'd status conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 10/24/17, 3/20/18, 5/22/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/31/18 to 11/27/18 at 1:30 p.m.
per stip & order entered on 7/25/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Off calendar. Continued by stipulation and order to 11/27/18 at 1:30 p.m. No appearances are required on 7/31/18.

Prior tentative ruling as of 5/21/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings in light of defendant's pending Chapter 7 bankruptcy case, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. Updated tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that counsel for defendant has not responded to counsel for trustee's inquiries about preparing and filing a joint status report.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation Chapter 7

No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Renato Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01105 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#19.00 Cont'd status conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 10/24/17, 3/20/18, 5/22/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/31/18 to 11/27/18 at 1:30 p.m.
per stip & order entered on 7/25/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Off calendar. Continued by stipulation and order to 11/27/18 at 1:30 p.m. No appearances are required on 7/31/18.

Prior tentative ruling as of 5/21/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. the court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings in light of defendant's pending Chapter 7 bankruptcy case, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. Updated tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that counsel for defendant has not responded to counsel for trustee's inquiries about preparing and filing a joint status report.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Felicidad Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01112 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#20.00 Cont'd pretrial conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 10/24/17, 3/20/18, 5/22/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/31/18 to 11/27/18 at 1:30 p.m.
per stip & order entered on 7/25/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Off calendar. Continued by stipulation and order to 11/27/18 at 1:30 p.m. No appearances are required on 7/31/18.

Prior tentative ruling as of 5/21/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings, including setting discovery cutoff, pretrial conference and trial dates, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation Chapter 7

parties are discussing settlement and intend to agree to a 90 day continuance of the discovery cutoff date at defendant's request. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. At the status conferences on related party matters on 5/3/16, counsel for the parties represented on the record that they were agreeable to the dates set in the related matters and would submit a stipulation and proposed scheduling order, which would incorporate the dates set in those other matters.

Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Appearances are optional on 5/3/16, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Mariam Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01158 Diamond v. Vital Rehab Services, Inc.

#21.00 Cont'd status conference re: Complaint: (1) To avoid and recover post petition transfers; (2) For imposition of constructive trust; (3) For unjust enrichment; (4) For turnover; and (5) To disallow claims
fr. 5/23/17, 7/25/17, 9/5/17, 4/4/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/31/18 to 11/27/18 at 1:30 p.m.
per stip & order entered on 7/25/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Off calendar. Continued by stipulation and order to 11/27/18 at 1:30 p.m. No appearances are required on 7/31/18.

Prior tentative ruling as of 4/3/18. Off calendar. The court has reviewed the joint status report stating that the matter is settled and requesting a continuance of 90 to 120 days. The court on its own motion continues the status conference to 7/31/18 at 1:30 p.m., and a joint status report is due on 7/24/18. No appearances are required on 4/4/18, and counsel for plaintiff to notify counsel for defendant of the continuance.

No updated tentative ruling as of 9/1/17. Appearances are required on 9/5/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report advising that the matter is being settled. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Off calendar. The court has reviewed the joint status report requesting a 60 day continuance of the status conference for the parties to consummate their settlement. The court on its own motion

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

continues the status conference to 7/25/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 5/23/17.

Revised tentative ruling as of 3/20/17. Off calendar. The court has reviewed the joint status report as well as the supplement filed on 3/17/17 reporting that the parties reached a settlement during mediation and requesting a 60 day continuance of the status conference. The court on its own motion continues the status conference to 5/23/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 9/30/16 and to complete mediation by 1/17/17. Appearances are required on 5/24/16, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Vital Rehab Services, Inc.

Pro Se

Plaintiff(s):

Richard K. Diamond

Represented By
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01556 Gonzalez v. Klimenko

#22.00 Cont'd status conference re: Complaint objecting to discharge
fr. 3/20/18, 5/8/18, 6/5/18

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status report and continues the status conference on its own motion to 9/18/18 at 1:30 p.m. in light of plaintiff's pending motion for default judgment. No appearances are required on 7/31/18.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh
Michael Jay Berger

Defendant(s):

Wladimir John Klimenko

Pro Se

Plaintiff(s):

Rosendo Gonzalez

Represented By
D Edward Hays

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

2:16-26326 Randolph Carl Scales

Chapter 7

Adv#: 2:17-01192 Diamond, Chapter 7 Trustee, Plaintiff v. Scales

#23.00 Cont'd status conference re: Trustee's complaint: (1) to avoid and recover fraudulent transfer; and (2) for turnover fr. 5/16/17, 2/20/18, 5/22/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/31/18 to 10/2/18 at 1:30 p.m. per stip & order entered on 6/28/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Off calendar. Continued by stipulation and order to 10/2/18 at 1:30 p.m. No appearances are required on 7/31/18.

Prior tentative ruling. The court has reviewed the joint status report. Set discovery completion date of 1/31/18 and set a post-discovery status conference for 2/20/18 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 7/31/17 and to complete mediation by 2/28/17. Appearances are required on 5/16/17, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Randolph Carl Scales

Represented By
Daniel King

Defendant(s):

Michelle Renee Scales

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Sonia Singh

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

CONT... Randolph Carl Scales

Chapter 7

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Zev Shechtman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

2:17-16232 Hye Jung Oh

Chapter 7

Adv#: 2:17-01408 Neman Brothers & Associates, Inc., a California co v. Oh

#24.00 Cont'd status conference re: Complaint to determine dischargeability of a debt and objection to discharge
fr. 10/24/17, 1/16/18, 4/17/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 7/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. The status conference will be conducted on the 2:30 p.m. calendar with the hearing on plaintiff's motion for default judgment. Appearances are required at 2:30 p.m., not 1:30 p.m. No tentative ruling on the merits.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 10/24/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Hye Jung Oh

Represented By
Young K Chang

Defendant(s):

Hye Jung Oh

Pro Se

Plaintiff(s):

Neman Brothers & Associates, Inc.,

Represented By
Nico N Tabibi

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

CONT... Hye Jung Oh

Chapter 7

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

2:17-19557 Alfonso Spindola Valdovinos

Chapter 7

Adv#: 2:18-01032 Sarafin v. Valdovinos et al

#25.00 Cont'd status conference re: Complaint: 1. To determine non-dischargeability of debt pursuant to 11 U.S.C. § 523(a)(2)(A); 2. For denial of discharge pursuant to 11 U.S.C. § 727(a)(2)(A); 3. For denial of discharge pursuant to 11 U.S.C. § 727(a)(4)(A); 4. For denial of discharge pursuant to 11 U.S.C. § 727(a)(5); and 5. For a finding of alter ego liability
fr. 4/10/18, 4/17/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Set discovery cutoff date of 2/28/19 and a post-discovery status conference on 3/13/19 at 1:30 p.m. A joint status report is due on 3/6/19. Order this matter to mediation, and parties to select a mediator and an alternate by 9/30/18 and complete mediation by 3/13/19. Plaintiff to submit a proposed scheduling order within 7 days of hearing. Appearances are required on 7/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report and continues the status conference on its own motion to 4/17/18 at 2:30 p.m., the date of the hearing on the motion to dismiss (the court will also advance the hearing on the motion to dismiss to 2:30 p.m.). No appearances are required on 4/10/18. Counsel for plaintiff is to give notice to counsel for defendants.

Party Information

Debtor(s):

Alfonso Spindola Valdovinos

Represented By
William Radcliffe

Defendant(s):

Alfonso Spindola Valdovinos

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

CONT... Alfonso Spindola Valdovinos

Chapter 7

Isabel Valdovinos Pro Se

DOES 1 through 100, inclusive Pro Se

Joint Debtor(s):

Isabel Valdovinos Represented By
William Radcliffe

Plaintiff(s):

Dory Sarafin Represented By
Robert P Goe

Trustee(s):

Jason M Rund (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

1:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#26.00 Status conference re: Involuntary petition

Docket 1

Tentative Ruling:

No tentative ruling as of 7/30/18. Appearances are required on 7/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Seven-Bros Enterprises, Inc.

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:00 PM

2:12-15665 Crystal Cathedral Ministries

Chapter 11

#27.00 Status conference re: Reorganized debtor's motion for issuance of order directing Carol Milner and Harold J. Light, Esq. to show cause why they should not be held in contempt (FRBP 9020); and for damages and attorneys' fees for intentionally violating the permanent discharge injunction fr. 7/11/18

Docket 2043

Tentative Ruling:

No tentative ruling as of 7/30/18. Appearances are required on 7/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Crystal Cathedral Ministries

Represented By

Marc J Winthrop

Kavita Gupta

G Emmett Raitt

Nanette D Sanders

Jeannie Kim

Douglas L Mahaffey

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:00 PM

2:13-39626 Peter James Eichler, Jr

Chapter 7

Adv#: 2:14-01547 Stahl, Chapter 7 Trustee v. Eichler, Jr

#28.00 Cont'd pretrial conference re: Complaint against debtor Peter James Eichler, Jr.
for denial of discharge [11 U.S.C. §727]
fr. 11/28/17, 2/13/18, 4/17/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/31/18 to 8/28/18 at 2:00 p.m.
per stip & order entered on 7/25/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Off calendar. Continued by stipulation and order to 8/28/18 at 2:00 p.m. No appearances are required on 7/31/18.

Prior tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 9/25/17. Off calendar. Continued by stipulation and order to 11/28/17 at 2:00 p.m. No appearances are required on 9/26/17.

Prior tentative ruling as of 6/26/17. Off calendar. Continued by stipulation and order to 8/29/17 at 2:00 p.m. No appearances are required on 6/27/17.

Prior tentative ruling as of 3/20/17. Off calendar. Continued by stipulation and order to 4/25/17 at 2:00 p.m. No appearances are required on 3/21/17.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 1/20/15, but counsel may appear by telephone.

Party Information

Debtor(s):

Peter James Eichler Jr

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:00 PM

CONT... Peter James Eichler, Jr

Chapter 7

Christian T Kim
James A Dumas Jr
Miri Kim Wakuta

Defendant(s):

Peter James Eichler Jr Pro Se

Plaintiff(s):

Alberta P. Stahl, Chapter 7 Trustee Represented By
Monica Y Kim

Trustee(s):

Alberta P Stahl (TR) Represented By
Carmela Pagay
Monica Y Kim
Timothy J Yoo

Alberta P Stahl (TR) Pro Se

U.S. Trustee(s):

United States Trustee (LA) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:00 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#29.00 Cont'd hearing re: Debtor's motion to disallow claims of Cindy S. Magleby
(claim numbers 13, 7, and 12)
fr. 3/21/18, 5/2/18, 5/9/18

Docket 390

***** VACATED *** REASON: Cont'd from 7/31/18 to 8/1/18 at 1:30 p.m.
per order entered on 6/27/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed the unilateral
pretrial statements of the parties, which are incomplete and inadequate and
will not be approved. The "statements" should be a joint pretrial stipulation,
and they lack the exhibit lists of the parties and objections to exhibits thereto.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court notes that claimant has a
pending motion for abstention on her claims set for hearing on 3/21/18. If the
court abstains, this itself will not postpone plan confirmation proceedings
because the parties may request the court to estimate the claims for voting on
plan confirmation. No tentative ruling on the merits. Appearances are
required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because
the declarations of the witnesses in support of the moving and opposing
papers raise material issues of fact to be resolved in an evidentiary hearing.
Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:00 PM

CONT...

Curtis C. Magleby

Chapter 11

schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. If claimant believes that the court should permissively abstain from hearing this contested matter, then she should bring a proper motion for abstention rather than raising the request in her opposition to the objection. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). However, it seems to the court that it could properly hear the objection to claim as a core proceeding under 28 U.S.C. 157(b)(2)(B) and not abstain under *In re Conejo Enterprises, Inc.*, 96 F.3d 346 (9th Cir. 1996). Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:00 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#30.00 Cont'd hearing re: Renewed motion for order disallowing claims of Fried & Goldsman, APLC (claim no. 15) and Taylor and Liberman (claim no. 16)
fr. 3/21/18, 5/2/18, 5/9/18

Docket 394

***** VACATED *** REASON: Cont'd from 7/31/18 to 8/1/18 at 1:30 p.m.
per order entered on 6/27/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:00 PM

CONT... Curtis C. Magleby

Chapter 11

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:00 PM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

#31.00 Cont'd status conference re: Complaint to recover property of the estate and for turnover of property of the estate pursuant to section 542(a) of the United States Bankruptcy Code, 11 U.S.C. §542(a)
fr. 3/21/18, 5/2/18, 5/9/18

Docket 1

***** VACATED *** REASON: Cont'd from 7/31/18 to 8/1/18 at 1:30 p.m.
per order entered on 6/27/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed defendant's unilateral pretrial statement, which is incomplete and inadequate and will not be approved. The "statement" should be a joint pretrial stipulation, and it lacks the exhibit lists of the parties and objections to exhibits thereto.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:00 PM

CONT... Curtis C. Magleby

Chapter 11

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Cindy Magleby

Pro Se

Plaintiff(s):

Curtis C. Magleby

Represented By
Alan F Broidy

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

#32.00 Cont'd hearing re: Second interim application for fees and reimbursement of costs of Dumas & Kim, APC., counsel for trustee fr. 5/29/18

Docket 459

***** VACATED *** REASON: Notice of withdrawal filed on 7/23/18-pj.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kathleen Kellogg-Taxe

Represented By
Miri Kim Wakuta
Gregory M Salvato

Trustee(s):

Carolyn A Dye (TR)

Represented By
Carolyn A Dye (TR)
James A Dumas Jr
Miri Kim Wakuta
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#33.00 Cont'd hearing re: Motion for order requiring disgorgement of funds pursuant to 11 U.S.C. §329 and FRBP 2016 and 2017 and turnover of estate property under §542 fr. 6/19/18

Docket 1203

Tentative Ruling:

Revised tentative ruling as of 7/30/18. Off calendar. Motion resolved by stipulation and order. No appearances are required on 7/31/18.

Revised tentative ruling as of 6/18/18 at 4:00 p.m. Grant trustee's motion for disgorgement as to Parker Mills LLP for the reasons stated in the moving papers and for lack of timely opposition. The motion as to Stabler and Associates, Inc., is continued by stipulation and order to 7/31/18 at 2:30 p.m. to be heard with the hearing on that party's pending fee application. The hearing on the motion as to Baker & Hostetler LLP is moot because that dispute has been resolved by stipulation and order. Appearances are required on 6/19/18 regarding the motion as to Parker Mills LLP only, but counsel may appear by telephone.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#34.00 Hearing re: First and final application by Stabler & Associates, Inc. accountant for the estate, for allowance of fees and reimbursement of cots for the period November 30, 2015 through November 24, 2016

Docket 1220

Tentative Ruling:

Revised tentative ruling as of 7/30/18. Off calendar. Application resolved by stipulation and order. No appearances are required on 7/31/18.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:15-27192 Xinzhong Bao

Chapter 7

#35.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Wesley Avery, Chapter 7 Trustee]

Docket 50

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are required on 7/31/18, but trustee and counsel may appear by telephone. The court has questions regarding treatment of fee application of attorney for trustee since the amount provided for in the final report and the amount requested in the attorney's fee application are different and whether the fees of all estate professionals should be prorated.

Party Information

Debtor(s):

Xinzhong Bao

Represented By
Lawrence B Yang

Trustee(s):

Wesley H Avery (TR)

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:15-27192 Xinzhong Bao

Chapter 7

#36.00 Hearing re: Application for fees and expenses
[Law Offices of Robert M. Aronson, Attorney for Chapter 7 Trustee]

Docket 48

Tentative Ruling:

No tentative ruling on final fee application of attorney for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are required on 7/31/18, but trustee and applicant may appear by telephone. Applicant has not provided a declaration of trustee as client who has reviewed and approved the application or describing the steps to obtain such review and approval pursuant to LBR 2016-1(a)(1)(J) and (c)(2). The court has questions regarding treatment of fee application of attorney for trustee since the amount provided for in the final report and the amount requested in the attorney's fee application are different and whether the fees of all estate professionals should be prorated.

Party Information

Debtor(s):

Xinzhong Bao

Represented By
Lawrence B Yang

Trustee(s):

Wesley H Avery (TR)

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:15-27192 Xinzhong Bao

Chapter 7

#37.00 Hearing re: Application for fees and expenses
[Wilton Robinson, Accountant for Chapter 7 Trustee]

Docket 49

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are required on 7/31/18, but trustee and applicant may appear by telephone. The court has questions regarding treatment of fee application of attorney for trustee since the amount provided for in the final report and the amount requested in the attorney's fee application are different and whether the fees of all estate professionals should be prorated.

Party Information

Debtor(s):

Xinzhong Bao

Represented By
Lawrence B Yang

Trustee(s):

Wesley H Avery (TR)

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01123 Ehrenberg v. Kolli

#38.00 Hearing re: Motion to dismiss for failure to state a claim, or in the alternative for a more definite statement

Docket 9

Tentative Ruling:

Grant defendant's motion to dismiss for failure to state a claim upon which relief can be granted or for more definite statement for the reasons stated in the moving papers, but with 30 days leave for plaintiff to amend.
Appearances are required on 7/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Raja Sekhar Kolli

Represented By
Clifford Bordeaux

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01123 Ehrenberg v. Kolli

#39.00 Cont'd status conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/30/18. No tentative ruling on the merits.
Appearances are required on 7/31/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status reports.
Because the parties have not had their LBR 7026-1 conference, the court is inclined to continue the status conference for about 60 days so that the parties can conduct the conference and make initial discovery disclosures.
Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Raja Sekhar Kolli

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

CONT...

Rama Krishna Chaparala

Michael Fischer
Michael Fischer

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#40.00 Cont'd hearing re: Motion to allow and pay administrative expense claims
fr. 6/26/18

Docket 453

***** VACATED *** REASON: Cont'd from 7/31/18 to 9/4/18 at 2:30 p.m.
per stip & order entered on 7/13/18-pj**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#41.00 Cont'd hearing re: Motion for order approving and directing reimbursement of legal expenses incurred by president of Swing House 11 U.S.C. §§ 363(c)(1), 363(b)(1), and 503(b) fr. 7/11/18

Docket 482

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Grant motion of former president of debtor for reimbursement of legal expenses for the reasons stated in the moving papers because indemnification is mandatory under California Corporations Code Section 317(d) because movant as an officer of the corporation succeeded on the merits in the civil harassment lawsuit against him by an employee because the lawsuit was dismissed with prejudice as shown by the copy of the state court's order attached to the moving papers. Appearances are required on 7/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. Appearances are required on 7/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

Movant(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Kurt Ramlo

Jeffrey S Kwong

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

CONT...

Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:17-14256 Daniel Alberto Reyes Macias and Maria Del Jesus Astorga

Chapter 7

#42.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Elissa D. Miller, Chapter 7 Trustee]

Docket 33

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 7/31/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Daniel Alberto Reyes Macias

Represented By
Raymond Perez

Joint Debtor(s):

Maria Del Jesus Astorga

Represented By
Raymond Perez

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:17-17167 Izabel Ouzounian

Chapter 7

#43.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Wesley H. Avery, Chapter 7 Trustee]

Docket 59

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 7/31/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Izabel Ouzounian

Represented By
Sevag S Simonian

Trustee(s):

Wesley H Avery (TR)

Represented By
Georgeann H Nicol
Adam Stevens

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:17-17167 Izabel Ouzounian

Chapter 7

#44.00 Hearing re: Application for fees and expenses
[Georgeann Hunter Nicol, Attorney for Chapter 7 Trustee]

Docket 46

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 7/31/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Izabel Ouzounian

Represented By
Sevag S Simonian

Trustee(s):

Wesley H Avery (TR)

Represented By
Georgeann H Nicol
Adam Stevens

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:17-17167 Izabel Ouzounian

Chapter 7

#45.00 Hearing re: Application for fees and expenses
[Hahn Fife & Company, Accountant for Chapter 7 Trustee]

Docket 58

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 7/31/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Izabel Ouzounian

Represented By
Sevag S Simonian

Trustee(s):

Wesley H Avery (TR)

Represented By
Georgeann H Nicol
Adam Stevens

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#46.00 Cont'd hearing re: Motion of defendant JPMorgan Chase Bank, N.A. to dismiss first amended complaint fr. 7/10/18

Docket 32

***** VACATED *** REASON: Cont'd from 7/31/18 to 8/21/18 at 2:30 p.m. per stip & order entered on 7/13/18-pj**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 8/21/18 at 2:30 p.m. No appearances are required on 7/31/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Represented By
Matthew S Henderson

QUALITY LOAN SERVICE

Represented By
Merdaud Jafarnia

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:18-10692 Morningside, LLC

Chapter 11

#47.00 Hearing re: Debtor's motion to dismiss chapter 11 bankruptcy

Docket 36

Tentative Ruling:

Deny debtor's motion to dismiss for lack of good cause for the reasons stated by the opposition of the United States Trustee. It appears that the evidentiary record indicates that debtor has postpetition entered in a contract for sale of its primary asset, but wants to consummate the sale transaction outside of court supervision and without payment of creditors. Appearances are required on 7/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Morningside, LLC

Represented By
Moises S Bardavid

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:18-11148 Jong J Kim

Chapter 7

Adv#: 2:18-01134 Shon et al v. Kim et al

#48.00 Hearing re: Motion to dismiss adversary complaint

Docket 13

Tentative Ruling:

Deny defendants' motion to dismiss for failure to state a claim upon which relief can be granted because the complaint pleads plausible claims for relief, and defendants to serve and file their answer within 14 days of hearing. Appearances are required on 7/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Jong J Kim

Represented By
M Teri Lim

Defendant(s):

Jong Joo Kim

Represented By
Bahram Madaen

Sun Y Kim

Represented By
Bahram Madaen

Joint Debtor(s):

Sun Y Kim

Represented By
M Teri Lim

Plaintiff(s):

Kevin Shon

Represented By
Jason Shon

Sunny Shon

Represented By
Jason Shon

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

CONT... Jong J Kim

Chapter 7

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:18-11148 Jong J Kim

Chapter 7

Adv#: 2:18-01134 Shon et al v. Kim et al

#49.00 Cont'd status conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §§523(a)(2)(A) & (a)(6) and 11 U.S.C. §§727(a)(3)-(4), and declaratory relief fr. 7/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 7/31/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the unilateral status reports filed by the parties. The court continues the status conference to 7/31/18 at 2:30 p.m. to be conducted with the hearing on defendants' amended motion to dismiss. No appearances are required on 7/10/18.

Although the parties failed to file a timely joint status report as required by Local Bankruptcy Rule 7016-1 and the court's status conference order, the court will not require at this time for the parties to file an updated and amended joint status report in light of the pendency of defendants' motion to dismiss.

However, the court notes that plaintiff has a jury trial demand on the face of the complaint, which the court will strike because there is no right to a jury trial on debt dischargeability and discharge denial claims in the adversary proceeding. The court also notes that the parties' consent to this court's jurisdiction to enter a final judgment on these core claims is not needed.

Party Information

Debtor(s):

Jong J Kim

Represented By
M Teri Lim

Defendant(s):

Jong Joo Kim

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

CONT... Jong J Kim

Chapter 7

Sun Y Kim

Pro Se

Joint Debtor(s):

Sun Y Kim

Represented By
M Teri Lim

Plaintiff(s):

Kevin Shon

Represented By
Jason Shon

Sunny Shon

Represented By
Jason Shon

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:18-13300 The 17/21 Group, LLC

Chapter 11

#50.00 Hearing re: Debtor and Debtor-in-Possession's Motion for Order: (1) Approving Asset Purchase Agreement and Authorizing Sale of Personal Property Free and Clear of Liens, Claims and Interests Pursuant to 11 U.S.C. §§ 363(b) and (f); (2) Approving Overbid Procedures; (3) Approving Buyer as Good-Faith Purchaser Pursuant to 11 U.S.C. § 363(m)

Docket 26

Tentative Ruling:

Grant debtor's motion to approve sale free and clear of lien and overbid procedures, but no tentative ruling on determining proposed purchaser as good faith purchaser under 11 U.S.C. 363 because there may be overbidding at the hearing. Appearances are required on 7/31/18.

Party Information

Debtor(s):

The 17/21 Group, LLC

Represented By
Brett Ramsaur

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

2:18-10170 Min Jeong Min

Chapter 7

Adv#: 2:18-01086 Kosma Tex v. Min

#51.00 Cont'd hearing re: Motion of defendant to set aside entry of default
fr. 7/17/18

Docket 14

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Grant defendant's motion to set aside default for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 7/31/18, but counsel may appear by telephone. Defendant to submit a proposed order within 7 days of hearing which provides that defendant has 14 days from the date of hearing to serve and file a response to the complaint.

Prior tentative ruling. The motion is procedurally defective because the statements made therein are not supported by a declaration under penalty of perjury as required by LBR 9013-1(c)(3)(A), FRBP 9006(d) and 28 U.S.C. 1746(2). Movant will need to submit a supporting declaration for the court to grant the motion. Appearances are required on 7/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Min Jeong Min

Represented By
Young K Chang

Defendant(s):

Min Jeong Min

Represented By
Young K Chang

Plaintiff(s):

Kosma Tex

Represented By
Vahe Khojayan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 31, 2018

Hearing Room 1675

2:30 PM

CONT... Min Jeong Min

Chapter 7

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

2:11-39746 Barbara Jo Baiz Rodriguez

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of plan
fr. 5/10/17, 11/15/17, 5/23/18

Docket 203

Tentative Ruling:

Updated tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/21/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/23/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/17. The court has reviewed debtor's status report. The court notes that the chart is missing the operative date for the amounts required to be paid, though the text of the report states that the date is the date of the report. Debtor needs to clarify the date for the amounts required to be paid. Otherwise, no tentative ruling on the merits. Debtor should also report on the rental situation, i.e., is the Burbank property rented out, and how much are her children paying on the Hacienda Heights property each. Appearances are required on 5/10/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Prior tentative ruling as of 11/14/16. The court has reviewed debtor's status report. Appearances are required on 11/16/16, but counsel and self-represented parties may appear by telephone in accordance with the court's

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Barbara Jo Baiz Rodriguez

Chapter 11

telephone appearance procedures (posted online on the court's website).

Prior tentative ruling as of 9/12/16. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/24/16 to discuss scheduling of further proceedings, but self-represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits. Appearances are required on 7/27/16, but self-represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 6/13/16. Off calendar. The court has reviewed debtor's motion requesting an extension of time to file the post-confirmation status report, reporting that she was recently injured, and the court on its own motion continues the status conference to 7/27/16 at 11:00 a.m. with an updated status report due for filing on 7/20/16. No appearances are required on 6/15/16.

Prior tentative ruling as of 3/14/16. The court has reviewed debtor's status report. No tentative ruling. Appearances required on 3/16/16, but self-represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling. Appearances required on 9/16/15, but self-represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 3/3/15. The court has reviewed debtor's status report. No tentative ruling. Appearances required on 3/4/15, but self-represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 9/3/14. The court has reviewed the Debtor's status report filed 7/24/2014. No tentative ruling. Appearances required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... **Barbara Jo Baiz Rodriguez**
9/4/14.

Chapter 11

Prior tentative ruling as of 3/17/14. The court has reviewed the United States Trustee (UST)'s report on discovery efforts and results and debtor's objection to the UST's request for further continuance. No tentative ruling on the merits. Appearances are required on 3/19/14.

Prior tentative ruling as of 2/10/14. No tentative ruling. Plan confirmation may be a contested matter under FRBP 9014 requiring an evidentiary hearing. Objecting parties United States Trustee and Deutsche Bank to show excuse for late filing of objections to plan. Debtor to address feasibility of plan, cramdown plan treatment of Deutsch Bank pursuant to its 11 U.S.C. 1111(b) election (i.e., proposed 23-year payout of secured claim may not be proper) and how Stonger vote and objection should be addressed (i.e., what authority exists to disregard Stonger vote or recognize inconsistent ballots, if they are indeed inconsistent rather than unintentionally mistaken.)). Appearances are required on 2/12/14.

Prior tentative ruling as of 12/2/13. At the last hearing on the disclosure statement, debtor indicated that she would submit financial projections as requested by the United States Trustee. Appearances are required on 12/4/13, but counsel may appear by telephone.

No tentative ruling as of 10/28/13. Appearances are required on 10/30/13. Debtor to address objections of United States Trustee and secured creditor Deutsche Bank. Although a confirmation matter, the court is not inclined to confirm a plan with a 36 year payout on the secured claim since no apparent justification is provided for the protracted payment and such appears to be discriminatory and unduly shifting the risk of lack of plan feasibility to that creditor. Appearances are required on 10/30/13.

Party Information

Debtor(s):

Barbara Jo Baiz Rodriguez

Represented By
Jerome S Cohen

Movant(s):

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Barbara Jo Baiz Rodriguez
Barbara Jo Baiz Rodriguez

Represented By
Jerome S Cohen

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

2:13-12977 Dowent Family LLC

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/21/18, 4/25/18, 5/29/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/30/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/19/18. Off calendar. The court continues the status conference on its own motion to 4/25/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/25/18. No appearances are required on 3/21/18.

Prior tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Prior tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Prior tentative ruling as of 1/23/17. Off calendar. The court continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 11/28/16. Off calendar. The court continues the status conference on its own motion to 1/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/25/17. No appearances are required on 11/30/16.

Prior tentative ruling as of 10/24/16. Off calendar. The court continues the status conference on its own motion to 11/29/16 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 11/29/16. No appearances are required on 10/26/16.

Prior tentative ruling as of 9/26/16. Off calendar. The court has reviewed debtor's status report and continues the status conference on its own motion to 10/26/16 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/26/16. No appearances are required on 9/27/16.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

Prior tentative ruling as of 7/25/16. Appearances are required on 7/27/16, but counsel may appear by telephone.

Updated tentative ruling as of 1/12/16. The court has reviewed debtor's status report. Appearances are required on 1/13/16, but counsel may appear by telephone.

No updated tentative ruling as of 9/8/15. Appearances are required on 9/9/15, but counsel may appear by telephone.

Prior tentative ruling as of 7/6/15. No tentative ruling on the merits. Appearances are required on 7/8/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/30/15. Appearances required on 3/31/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/30/15. Appearances required on 3/31/15, but counsel may appear by telephone.

Prior tentative ruling as of 9/29/14. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 10/1/14, but counsel may appear by telephone.

Updated tentative ruling as of 6/16/14. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 6/18/14, but counsel may appear by telephone.

Prior tentative ruling as of 2/17/14. No tentative ruling on the merits. Appearances are required on 2/19/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

Debtor(s):

Dowent Family LLC

Represented By
Todd C. Ringstad

Movant(s):

Dowent Family LLC

Represented By
Todd C. Ringstad

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#3.00 CONT'D TRIAL RE: Final application for approval of compensation and expense reimbursement of Baker & Hostetler LLP fr. 3/28/18, 4/25/18, 5/29/18

Docket 482

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Off calendar. The court continues the hearing on its own motion to 10/3/18 at 11:00 a.m. No appearances are required on 8/1/18.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. Updated tentative ruling as of 5/11/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Ashley McDow. Appearances are required on 5/12/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 5/1/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Marc Benezra. Appearances are required on 5/3/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#4.00 Cont'd hearing re: Motion for entry of order conditionally dismissing bankruptcy case fr. 3/28/18, 4/25/18, 5/29/18

Docket 479

Tentative Ruling:

Updated tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. Appearances are required on 3/22/17.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. The court has concerns regarding the propriety of a "structured" dismissal (called "conditional" dismissal in the moving papers), i.e., whether the record is sufficient to warrant deviation from the normal procedures expressly provided in the Bankruptcy Code, i.e., a liquidating plan, case conversion or straight dismissal without conditions, or whether more broadly, whether structured dismissals are permitted at all, which may be at issue before the Supreme Court in *In re Jevic Holding Corp.*, 787 F.3d 173 (3rd Cir. 2015), cert. granted, *Czyzewski v. Jevic Holding Corp.* 136 S.Ct. 2541 (2016). See also, Transcript of Oral Argument, *Czyzewski v. Jevic Holding Corp.*, No. 15-649 (S.Ct., argued December 7, 2016); see also, e.g., Salerno, Hansen, Meyer, Schuster and Barsharis, *Advanced Chapter 11 Bankruptcy Practice*, Section 12.22 (2nd ed. online, 2016 Cum. Supp.); Greenberg, Smith and Taylor, "The Elephant Hiding in the Mousehole": *In re Jevic*, 2016 No. 10 Norton Bankr. L. Adviser NL 1 (online ed., October 2016); Pernick and Dean, "Structured Chapter 11 Dismissals: A Viable and Growing Alternative After Asset Sales,"

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

29 Am. Bankr. Inst. J. 1 (June 2010); Eitel, Tinker and Lambert, "Structured Dismissals, or Cases Dismissed Outside of Code's Structure?", 30 Am. Bankr. Inst. J. 20 (March 2011). Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#5.00 Cont'd hearing re: Motion for approval of chapter 11 disclosure statement
fr. 3/28/18, 4/25/18, 5/29/18

Docket 157

Tentative Ruling:

Updated tentative ruling as of 7/30/18. No tentative ruling on the merits.
Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the
hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are
required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the
hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are
required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the
hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are
required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the
hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are
required on 1/24/18.

Updated tentative ruling as of 12/18/17. Off calendar. The court continues
the hearing on its own motion to 1/24/18 at 11:00 a.m. No appearances are
required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the
hearing on its own motion to 12/20/17 at 11:00 a.m. No appearances are
required on 12/13/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Updated tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/15/14. Appearances are required on 4/16/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan. Debtor has indicated that it intends to revise the disclosure statement to address objections of United States Trustee.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

Movant(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/28/18, 4/25/18, 5/29/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the status conference on its own motion to 12/13/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 12/13/17. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court has reviewed debtor's status report. In that the court is still deliberating on the final fee application of general bankruptcy counsel for debtor, the court continues the status conference on its own motion to 10/25/17 at 1:30 p.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Updated tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC
telephone.

Chapter 11

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

Prior tentative ruling as of 1/25/16. The court has reviewed debtor's status report. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. No tentative ruling on the merits. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

No updated tentative ruling as of 4/15/14. Appearances are required on 4/16/14.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan.

Prior tentative ruling as of 3/10/14. No tentative ruling on the merits. Appearances are required on 3/12/14, but counsel may appear by telephone.

Updated tentative ruling as of 2/24/14. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/14. The court has reviewed debtor's status report and the comments of the secured creditor on status. No tentative ruling. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 11/19/13. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/13. No tentative ruling on the merits. Appearances are required on 10/9/13.

Updated tentative ruling as of 9/18/13. Off calendar. Continued at hearing on 9/17/13 to 10/9/13 at 11:30 a.m. No appearances required on 9/18/13.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/18/13, but counsel may appear by telephone.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#7.00 Cont'd hearing re: Motion for approval of the sufficiency of debtor's chapter 11 disclosure statement describing debtor's plan of reorganization fr. 4/25/18

Docket 68

Tentative Ruling:

Updated tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling. Deny approval of disclosure statement because: (1) plan is patently unconfirmable because it modifies loan secured by lien on debtor's principal residence in violation of 11 U.S.C. 1125(b) (plan modifies contractual interest rate on first and second secured home loans) and it does not propose a cure of outstanding arrearages on home mortgages in accordance with 11 U.S.C. 1124(2)(10 year payment of arrearages is discriminatory compared with 5 year payment of general unsecured claims); (2) disclosure statement lacks adequate information regarding plan feasibility since no financial history or financial projections are provided. Appearances are required on 4/25/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By
David I Brownstein

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 12/6/17, 2/28/18, 4/25/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/30/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/17. The court has reviewed debtor's status report filed on 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

Updated tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT...

Dalton Evonne Grant

Joshua L Sternberg

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#9.00 Hearing re: Debtors' objection to claim no. 9 and motion to estimate claim for purposes of voting and distribution

Docket 65

Tentative Ruling:

Grant debtors' motion objecting to claim in part for the reasons stated in the moving papers, but allow claimant to file an amended proof of claim.
Appearances are required on 8/1/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01144 Shadsirat v. Zargar et al

#10.00 Hearing re: Motion to consolidate adversary proceeding 2:18-ap-01144-RK with (1) Adversary proceeding 2:18-ap-01148-RK,(2) Adversary proceeding 2:18-ap-01149-RK, (3) Adversary proceeding 2:18-ap-01205-RK, and (4) Debtor's objection to Claim 9-1 and motion to estimate claim for purposes of voting and distribution

Docket 10

Tentative Ruling:

Deny motion to consolidate as moot because adversary proceeding numbers 2:18-ap-01148, 2:18-ap-01149 and 2:18-ap-01205 have been remanded to state court. Appearances are optional on 8/1/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Shabnam Mesachi

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01148 Shadsirat v. Zargar et al

- #11.00** Hearing re: Motion to consolidate adversary proceeding 2:18-ap-01144-RK with (1) Adversary proceeding 2:18-ap-01148-RK,(2) Adversary proceeding 2:18-ap-01149-RK, (3) Adversary proceeding 2:18-ap-01205-RK, and (4) Debtor's objection to Claim 9-1 and motion to estimate claim for purposes of voting and distribution

Docket 23

Tentative Ruling:

Deny motion to consolidate as moot because adversary proceeding numbers 2:18-ap-01148, 2:18-ap-01149 and 2:18-ap-01205 have been remanded to state court. Appearances are optional on 8/1/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Shabnam Mesachi

Represented By
Ashley M McDow

National Cash Inc

Represented By
Raymond H. Aver

Mohammad Khajehmiraki

Represented By
Raymond H. Aver

Davan Investment Corp

Represented By
Raymond H. Aver

National Cash, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

CONT... Shahriar Joseph Zargar

Chapter 11

David B Zolkin

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01149 Shadsirat v. Zargar

#12.00 Hearing re: Motion to consolidate adversary proceeding 2:18-ap-01144-RK with (1) Adversary proceeding 2:18-ap-01148-RK,(2) Adversary proceeding 2:18-ap-01149-RK, (3) Adversary proceeding 2:18-ap-01205-RK, and (4) Debtor's objection to Claim 9-1 and motion to estimate claim for purposes of voting and distribution

Docket 19

Tentative Ruling:

Deny motion to consolidate as moot because adversary proceeding numbers 2:18-ap-01148, 2:18-ap-01149 and 2:18-ap-01205 have been remanded to state court. Appearances are optional on 8/1/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez
Robert Gentino

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01205 Shadsirat et al v. E-Z Cash ATM Inc

#13.00 Hearing re: Motion to consolidate adversary proceeding 2:18-ap-01144-RK with (1) Adversary proceeding 2:18-ap-01148-RK,(2) Adversary proceeding 2:18-ap-01149-RK, (3) Adversary proceeding 2:18-ap-01205-RK, and (4) Debtor's objection to Claim 9-1 and motion to estimate claim for purposes of voting and distribution

Docket 7

Tentative Ruling:

Deny motion to consolidate as moot because adversary proceeding numbers 2:18-ap-01148, 2:18-ap-01149 and 2:18-ap-01205 have been remanded to state court. Appearances are optional on 8/1/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

E-Z Cash ATM Inc

Represented By
M.H. Tony Kamran, Esq

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Robert Gentino

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#14.00 Pretrial conference re: Renewed motion for order disallowing claims of Fried & Goldman, APLC (claim no. 15) and Taylor and Liberman (claim no. 16) fr. 5/2/18, 5/9/18, 7/31/18

Docket 394

***** VACATED *** REASON: Cont'd from 8/1/18 to 8/8/18 at 11:00 a.m. per stip & order entered on 7/30/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/31/18. Off calendar. Continued by stipulation and order to 8/8/18 at 11:00 a.m. No appearances are required on 8/1/18.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#15.00 Pretrial conference re: Debtor's motion to disallow claims of Cindy S. Magleby (claim numbers 13, 7, and 12) fr. 5/2/18, 5/9/18, 7/31/18

Docket 390

Tentative Ruling:

Updated tentative ruling as of 7/31/18. Off calendar. Continued by stipulation and order to 8/8/18 at 11:00 a.m. No appearances are required on 8/1/18.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed the unilateral pretrial statements of the parties, which are incomplete and inadequate and will not be approved. The "statements" should be a joint pretrial stipulation, and they lack the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court notes that claimant has a pending motion for abstention on her claims set for hearing on 3/21/18. If the court abstains, this itself will not postpone plan confirmation proceedings because the parties may request the court to estimate the claims for voting on plan confirmation. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

1:30 PM

CONT...

Curtis C. Magleby

Chapter 11

papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. If claimant believes that the court should permissively abstain from hearing this contested matter, then she should bring a proper motion for abstention rather than raising the request in her opposition to the objection. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). However, it seems to the court that it could properly hear the objection to claim as a core proceeding under 28 U.S.C. 157(b)(2)(B) and not abstain under *In re Conejo Enterprises, Inc.*, 96 F.3d 346 (9th Cir. 1996). Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#16.00 Cont'd hearing re: Disclosure statement
fr. 5/2/18, 5/9/18, 6/27/18

Docket 174

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Off calendar. The court on its own motion continues the hearing to 8/8/18 at 11:00 a.m. No appearances are required on 8/1/18.

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court has reviewed debtor's status update and request to continue the status conference. No tentative ruling on the merits. Appearances are required on 3/7/18 to discuss scheduling and the the impact of treatment on creditor Cindy Magleby's claims for plan voting and abstention among other things, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. The court notes that debtor filed a second amended disclosure statement on 1/30/18, 8 days before the further hearing on 2/7/18. Creditor Banc of California filed a response on 1/31/18 objecting to debtor's noticing approval of the amended disclosure statement for the hearing on 2/7/18, citing the court's oral ruling that creditors should be given 3 weeks notice of hearing on an amended disclosure statement. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, including

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

1:30 PM

CONT...

Curtis C. Magleby

Chapter 11

adequate time for creditors to respond to debtor's second amended disclosure statement and a scheduling of a further hearing on debtor's second amended disclosure statement to allow for review and comment by creditors and interested parties, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. The court has reviewed debtor's status report. Appearances are required on 11/29/17 to discuss scheduling of further proceedings, including filing date for debtor's second amended disclosure statement, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. Debtor in his status report filed on 2/22/17 indicated that he and his counsel are working on revising and amending the original disclosure statement to include a revised and updated liquidation analysis and taking into account resolutions of claims of creditors, including First Republic Bank (however, the court notes that it disapproved without prejudice the stipulation resolving claim of First Republic Bank in light of objection of creditor Cindy Magelby since it appears that debtor will need to bring a FRBP 9019 motion). Appearances are required on 3/1/17 regarding scheduling of further proceedings for an amended and revised disclosure statement, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

- #17.00** Pretrial conference re: Complaint to recover property of the estate and for turnover of property of the estate pursuant to section 542(a) of the United States Bankruptcy Code, 11 U.S.C. §542(a)
fr. 5/2/18, 5/9/18, 7/31/18

Docket 1

***** VACATED *** REASON: Cont'd from 8/1/18 to 8/8/18 at 11:00 a.m.
per stip & order entered on 7/30/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/31/18. Off calendar. Continued by stipulation and order to 8/8/18 at 11:00 a.m. No appearances are required on 8/1/18.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed defendant's unilateral pretrial statement, which is incomplete and inadequate and will not be approved. The "statement" should be a joint pretrial stipulation, and it lacks the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Cindy Magleby

Pro Se

Plaintiff(s):

Curtis C. Magleby

Represented By
Alan F Broidy

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

1:30 PM

2:17-21936 Samuel Chea

Chapter 7

Adv#: 2:17-01585 Wolkowitz v. Lim et al

#18.00 Cont'd status conference re: Complaint for: (1) Avoidance of voidable transfer;
(2) Recovery of avoided transfer; and (3) Turnover of property
[11 U.S.C. §§542, 544, 548 and 550]
fr. 2/20/18, 3/27/18, 5/29/18

Docket 1

***** VACATED *** REASON: Dismissed per order entered on 6/7/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/30/18. Off calendar. Adversary proceeding dismissed by order entered on 6/7/18. No appearances are necessary.

Prior tentative ruling as of 5/25/18. Off calendar. In light of the pending stipulation of the parties for dismissal of the adversary proceeding, awaiting the time for objection to dismissal of the claims to deny discharge of debtor pursuant to FRBP 7041 and LBR 9013-1(o), the court on its own motion continues the status conference for about 60 days to 8/1/18 at 1:30 p.m. No appearances are required on 5/29/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court has reviewed the joint status report in which the parties requested a continuance of the status conference to allow an opportunity to first discuss settlement before setting a pretrial schedule. The court on its own motion continues the status conference for about 60 days to 5/29/18 at 1:30 p.m. No appearances are required on 3/27/18.

Prior tentative ruling. The court has reviewed the joint status report indicating that counsel has recently been retained by defendant and that the parties have not had their LBR 7026-1 initial meeting. The court on its own motion continues the status conference to 3/27/18 at 1:30 p.m. Trustee to give email or telephonic notice to counsel for defendant of the continuance of the status conference. No appearances are required on 2/20/18.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 1, 2018

Hearing Room 1675

1:30 PM

CONT... Samuel Chea

Chapter 7

Debtor(s):

Samuel Chea

Represented By
Anthony E Contreras

Defendant(s):

Annie Lim

Pro Se

Tony C. Sok

Pro Se

Samuel Chea

Pro Se

Plaintiff(s):

Edward M Wolkowitz

Represented By
Carmela Pagay

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 2, 2018

Hearing Room 1675

9:00 AM

2:16-17064 Maria Virginia Marti
Adv#: 2:16-01270 Romero v. Marti

Chapter 7

#1.00 TRIAL RE: Plaintiff Mario Romero's complaint for adversary proceedings and nondischargeability of defendants' debt pursuant to: (1) 11 U.S.C. §§ 727(a)(2), 727(a)(3); 727(a)(4) and 727(a)(7); (2) 11 U.S.C. §523; 523(a)(4); 523(6); and 11 U.S.C. §523(a)(19); (3) Nondischargeability fr. 11/14/17, 1/31/18, 2/6/18

Docket 1

***** VACATED *** REASON: Four day trial vacated per hearing held on 6/5/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/31/18. Off calendar. Trial date was vacated at hearing on 6/5/18. No appearances are required on 8/3/18.

Prior tentative ruling as of 2/5/18. Plaintiff lodged "[Proposed] Stipulated Pretrial Conference Order," which the court has rejected as deficient under LBR 7016-1 because of lack of signature of defendant's counsel, numerous typographical errors and failure to address all claims of second amended complaint. The document to be submitted first is a "Joint Pretrial Stipulation", and later an order approving that document if it is in proper form. Both parties have independent duties to participate in the preparation and filing of the pretrial conference documents under LBR 7016-1. Plaintiff filed "joint" witness list twice, but no "joint" exhibit list, but these documents have no indication that they are "joint" since no signature of defendant's counsel is provided. These documents do not excuse either party since there is no indication from defendant that defendant has met the requirements of submitting joint pretrial documents with plaintiff under LBR 7016-1. The parties should be prepared to discuss how the court should proceed with all non-dismissed claims alleged in plaintiff's second amended complaint. The court has orally indicated that the claims under 11 U.S.C. 727 should be tried first and that the claims under 11 U.S.C. 523 should be deferred until the state court appellate litigation has been completed on related claims (or the court should permissively abstain in favor of the state courts on the related claims). The parties should report on the status of the state court appellate

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 2, 2018

Hearing Room 1675

9:00 AM

CONT...

Maria Virginia Marti

Chapter 7

litigation. The court is considering imposing sanctions of \$250 against each counsel for their continued failures to submit documents that fully comply with the pretrial conference requirements of LBR 7016-1. Appearances are required on 2/6/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18.

Prior tentative ruling as of 11/13/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 11/14/17.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/15/17.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/24/17 to discuss scheduling, particularly sequencing of discovery, but counsel may appear by telephone.

Prior tentative ruling as of 10/24/16. Appearances are required on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/26/16. Off calendar. By separate order, the court continues the hearing on its own motion to 10/25/16 at 3:00 p.m. No appearances are required on 9/27/16.

Prior tentative ruling. Continued on the court's own motion by separate order to 9/20/16 at 3:00 p.m. No appearances are required on 8/16/16.

Party Information

Debtor(s):

Maria Virginia Marti

Represented By
Anita Khachikyan

Defendant(s):

Maria Virginia Marti

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 2, 2018

Hearing Room 1675

9:00 AM

CONT... Maria Virginia Marti

Chapter 7

Plaintiff(s):

Mario Romero

Represented By
Dimitrios P Biller

Trustee(s):

Jason M Rund (TR)

Pro Se

Jason M Rund (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 2, 2018

Hearing Room 1675

2:00 PM

2:13-31929 Eleonso Bucio

Chapter 7

Adv#: 2:14-01367 Pentagon Federal Credit Union v. Bucio

#2.00 Cont'd hearing re: Motion in support of opposition to claim of exemption
fr. 6/26/18

Docket 23

Tentative Ruling:

Updated tentative ruling as of 7/31/18. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 8/2/18.

Prior tentative ruling as of 6/25/18. The procedural posture in this matter is unclear since the debtor's claim of exemption disputed by movant is not included in the moving papers, and debtor has not filed any response to the motion. Movant is asking the court to reconsider the amount of exemption that debtor is claiming on his claim of exemption, which is not apparently in the record. Appearances are required on 6/26/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedure posted online on the court's website.

Party Information

Debtor(s):

Eleonso Bucio

Represented By
Marlin Branstetter

Defendant(s):

Eleonso Bucio

Pro Se

Plaintiff(s):

Pentagon Federal Credit Union

Represented By
A. Lysa Simon
A. Lysa Simon

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 2, 2018

Hearing Room 1675

2:00 PM

CONT... Eleonso Bucio

Chapter 7

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, August 3, 2018

Hearing Room 1675

9:00 AM

2:16-17064 Maria Virginia Marti
Adv#: 2:16-01270 Romero v. Marti

Chapter 7

#1.00 CONT'D TRIAL RE: Plaintiff Mario Romero's complaint for adversary proceedings and nondischargeability of defendants' debt pursuant to: (1) 11 U.S.C. §§ 727(a)(2), 727(a)(3); 727(a)(4) and 727(a)(7); (2) 11 U.S.C. §523; 523(a)(4); 523(6); and 11 U.S.C. §523(a)(19); (3) Nondischargeability fr. 1/31/18, 2/6/18, 8/2/18

Docket 1

***** VACATED *** REASON: Four day trial vacated per hearing held on 6/5/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/31/18. Off calendar. Trial date was vacated at hearing on 6/5/18. No appearances are required on 8/3/18.

Prior tentative ruling as of 2/5/18. Plaintiff lodged "[Proposed] Stipulated Pretrial Conference Order," which the court has rejected as deficient under LBR 7016-1 because of lack of signature of defendant's counsel, numerous typographical errors and failure to address all claims of second amended complaint. The document to be submitted first is a "Joint Pretrial Stipulation", and later an order approving that document if it is in proper form. Both parties have independent duties to participate in the preparation and filing of the pretrial conference documents under LBR 7016-1. Plaintiff filed "joint" witness list twice, but no "joint" exhibit list, but these documents have no indication that they are "joint" since no signature of defendant's counsel is provided. These documents do not excuse either party since there is no indication from defendant that defendant has met the requirements of submitting joint pretrial documents with plaintiff under LBR 7016-1. The parties should be prepared to discuss how the court should proceed with all non-dismissed claims alleged in plaintiff's second amended complaint. The court has orally indicated that the claims under 11 U.S.C. 727 should be tried first and that the claims under 11 U.S.C. 523 should be deferred until the state court appellate litigation has been completed on related claims (or the court should permissively abstain in favor of the state courts on the related claims). The parties should report on the status of the state court appellate

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, August 3, 2018

Hearing Room 1675

9:00 AM

CONT...

Maria Virginia Marti

Chapter 7

litigation. The court is considering imposing sanctions of \$250 against each counsel for their continued failures to submit documents that fully comply with the pretrial conference requirements of LBR 7016-1. Appearances are required on 2/6/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18.

Prior tentative ruling as of 11/13/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 11/14/17.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/15/17.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/24/17 to discuss scheduling, particularly sequencing of discovery, but counsel may appear by telephone.

Prior tentative ruling as of 10/24/16. Appearances are required on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/26/16. Off calendar. By separate order, the court continues the hearing on its own motion to 10/25/16 at 3:00 p.m. No appearances are required on 9/27/16.

Prior tentative ruling. Continued on the court's own motion by separate order to 9/20/16 at 3:00 p.m. No appearances are required on 8/16/16.

Party Information

Debtor(s):

Maria Virginia Marti

Represented By
Anita Khachikyan

Defendant(s):

Maria Virginia Marti

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, August 3, 2018

Hearing Room 1675

9:00 AM

CONT... Maria Virginia Marti

Chapter 7

Plaintiff(s):

Mario Romero

Represented By
Dimitrios P Biller

Trustee(s):

Jason M Rund (TR)

Pro Se

Jason M Rund (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

10:30 AM

2:18-14190 Melissa Rae Lloyd

Chapter 7

#1.00 Cont'd hearing re: Motion for relief from stay
(Nissan Motor Acceptance Corporation VS Debtor)
fr. 6/26/18

Docket 12

***** VACATED *** REASON: Notice of withdrawal filed on 7/17/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/6/18. Off calendar. Motion withdrawn by notice filed on 7/16/18. No appearances are required on 8/7/18.

Prior tentative ruling. Deny motion for stay relief because movant has not provided sufficient evidence of standing to seek stay relief since the so-called certificate of title is not what it purports to be as a third party non-governmental report, and not a government issued certificate of title. The report lacks evidentiary foundation. FRE 602, 901 and 902. The security agreement does not list movant on title either. Appearances are required on 6/26/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures.

Party Information

Debtor(s):

Melissa Rae Lloyd

Pro Se

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

10:30 AM

2:18-15897 Patricia Guzman

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(ACAR Leasing LTD dba GM Financial Leasing VS Debtor)

Docket 16

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Patricia Guzman

Represented By
Michael H Colmenares

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

10:30 AM

2:18-16474 Jorge Ruiz and Maria Estela Ruiz

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Bank of America, N.A. VS Debtors)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Jorge Ruiz

Represented By
Daniel F Jimenez

Joint Debtor(s):

Maria Estela Ruiz

Represented By
Daniel F Jimenez

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

10:30 AM

2:18-17165 Ki Y Jang

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(HSBC Bank USA, N.A. VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for stay relief under 11 U.S.C. 362(d)(2) because the evidence of lack of equity in the broker's price opinion lacks foundation (i.e., the opinion of broker/agent is not under declaration of penalty of perjury). Deny request for extraordinary relief in paragraph 3 because Debtor is not a contract party to the loan agreement. Deny request for extraordinary relief in paragraph 14 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a) (3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Ki Y Jang

Pro Se

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

10:30 AM

2:18-17260 Casey Jon Schein and Diana Marie Schein

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtors)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Casey Jon Schein

Represented By
David H Chung

Joint Debtor(s):

Diana Marie Schein

Represented By
David H Chung

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

10:30 AM

2:18-17263 8800 LLC

Chapter 11

#6.00 Cont'd hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)
fr. 7/31/18

TMC Realty, LLC v. 8800 Sunset, LLC and 8800 LLC
LASC Case Number SC129282

Docket 34

***** VACATED *** REASON: Cont'd from 8/7/18 to 9/11/18 at 2:30 p.m.
per stip & order entered on 7/30/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 9/11/18 at 2:30 p.m. No appearances are required on 8/7/18.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

10:30 AM

2:18-17263 8800 LLC

Chapter 11

#7.00 Cont'd hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)
fr. 7/31/18

8800 Sunset Boulevard
West Hollywood, California 90069
Ground Floor Restaurant Space and Adjacent Patio (aka Estrella)

Docket 35

***** VACATED *** REASON: Cont'd from 8/7/18 to 9/11/18 at 2:30 p.m.
per stip & order entered on 7/30/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 9/11/18 at 2:30 p.m. No appearances are required on 8/7/18.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

10:30 AM

2:18-17496 Mardoche Cohen

Chapter 7

#8.00 Cont'd hearing re: Motion for relief from stay
(Arnaz Court Associates, LP VS Debtor)

Docket 8

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Mardoche Cohen	Pro Se
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Trustee(s):

Peter J Mastan (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

1:30 PM

2:17-24330 Jung Ja Kim

Chapter 7

Adv#: 2:18-01053 Avery v. Kim

#9.00 Cont'd status conference re: Complaint against debtor for denial of discharge
fr. 5/1/18

Docket 1

***** VACATED *** REASON: Order dismissing adversary proceeding
entered on 6/12/18-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by order entered on 6/12/18.
No appearances are necessary.

Party Information

Debtor(s):

Jung Ja Kim

Represented By
Donald E Iwuchuku

Defendant(s):

Jung Ja Kim

Pro Se

Plaintiff(s):

Wesley H, Avery

Represented By
Carmela Pagay

Trustee(s):

Wesley H Avery (TR)

Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

1:30 PM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#10.00 Hearing re: Emma Borges' motion for order pursuant to Federal Rules of Bankruptcy Procedure 2004 and 9016; for an examination of debtors person most knowledgeable; and for production of documents

Docket 143

Tentative Ruling:

Grant movant's motion for FRBP 2004 examination of debtor for the reasons stated in the moving papers. Overrule debtor's objections to the motion because the parties had a prefiling conference on 6/15/18 with no follow-up by debtor's counsel within one week as agreed, the examination cannot proceed under FRBP 7030 or 9014 since the alleged contested matter of movant's stay relief is no longer a contested matter since the court granted the stay relief motion, the argument of lack of service on debtor lacks merit as unreasonably formalistic since debtor as a limited liability company must be represented by counsel and its counsel was served and was actively negotiating with movant regarding the motion, the objection based on the attorney client privilege can be raised on a document by document and question by question basis at the examination, or submission of a privilege log at the examination, and the objection to request for production number 5 can be raised either by a motion for a protective order which has not been filed or interposed at the examination, subject to a motion to compel, and cause is shown for movant to examine debtor about possible bad faith insurance claims of Debtor and possible attorney malpractice claims of Debtor. Appearances are required on 8/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

1:30 PM

2:18-15192 Guadalupe Cosio

Chapter 7

#11.00 Status conference re: Compliance with order entered on June 27, 2018

Docket 16

Tentative Ruling:

Off calendar. Debtor complied with the court's order of 6/27/18 regarding the filing of Official Form 122A-1. No appearances are required on 8/7/18.

Party Information

Debtor(s):

Guadalupe Cosio

Represented By
Michael D Luppi

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:00 PM

2:16-26310 Jong Kyu Cha

Chapter 7

Adv#: 2:17-01201 Hanin Federal Credit Union v. Cha

#12.00 Pretrial conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(2)(A) and (B), 11 U.S.C. 523(a)(4) and 11 U.S.C. §523(a)(6) fr. 10/24/17, 1/30/18, 6/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/6/18. Counsel for plaintiff filed a notice of settlement on 5/29/18, but no dispositive stipulation for dismissal or judgment based on the settlement has been filed with the court. No tentative ruling on the merits. Appearances are required on 8/7/18 to address why no joint pretrial stipulation has been filed or why a stipulation for dismissal or judgment has been filed, and why sanctions should not be imposed for failing to file a joint pretrial stipulation under LBR 7016-1, including dismissal for lack of prosecution, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Counsel for plaintiff filed a notice of settlement on 5/29/18. No tentative ruling on the merits. Appearances are required on 6/5/18 to confirm the proposed settlement, and if not, to address why no joint status report or pretrial stipulation has been filed, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. The court has reviewed the joint status report stating that the parties are actively negotiating settlement. No tentative ruling on the merits. Appearances are required on 1/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits. Appearances are required on 10/24/17.

Prior tentative ruling as of 10/6/17. No tentative ruling on the merits. Appearances are required on 10/10/17.

Prior tentative ruling. The court has reviewed the joint status report and notes

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:00 PM

CONT... Jong Kyu Cha

Chapter 7

that the report does not state whether the parties had their LBR 7026-1 meeting of counsel. Appearances are required on 5/23/17.

Party Information

Debtor(s):

Jong Kyu Cha

Represented By
Jisoo Hwang

Defendant(s):

Jong Kyu Cha

Pro Se

Plaintiff(s):

Hanin Federal Credit Union

Represented By
Jiyoung Kym
Jiyoung Kym

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:15-26198 CALPOP.COM, INC.

Chapter 7

#13.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Richard K. Diamond, Chapter 7 Trustee]

Docket 104

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 8/7/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

CALPOP.COM, INC.

Represented By
William H Brownstein

Trustee(s):

Richard K Diamond (TR)

Represented By
Michael G D'Alba
Danning, Gill, Diamond & Kollitz, LLP
Howard Kollitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:15-26198 CALPOP.COM, INC.

Chapter 7

#14.00 Hearing re: Application for fees and expenses
[Danning, Gill, Diamond & Kollitz, LLP, Attorney for Chapter 7 Trustee]

Docket 101

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 8/7/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

CALPOP.COM, INC.

Represented By
William H Brownstein

Trustee(s):

Richard K Diamond (TR)

Represented By
Michael G D'Alba
Danning, Gill, Diamond & Kollitz, LLP
Howard Kollitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:15-26198 CALPOP.COM, INC.

Chapter 7

#15.00 Hearing re: Application for fees and expenses
[Grobstein Teeple, LLP, As Accountants for Chapter 7 Trustee]

Docket 102

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 8/7/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

CALPOP.COM, INC.

Represented By
William H Brownstein

Trustee(s):

Richard K Diamond (TR)

Represented By
Michael G D'Alba
Danning, Gill, Diamond & Kollitz, LLP
Howard Kollitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#16.00 Cont'd hearing re: Motion to dismiss
fr. 11/14/17, 5/15/18, 5/29/18

Docket 23

Tentative Ruling:

Updated tentative ruling as of 8/6/18. No tentative ruling on the merits. Appearances are required on 8/7/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. Off calendar. Continued by prior order to 5/29/18 at 2:30 p.m. to be conducted with hearing on plaintiff's motion to substitute party. No appearances are required on 5/15/18.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/12/17. No tentative ruling on the merits. Appearances are required on 6/13/17, but counsel may appear by telephone.

Updated tentative ruling as of 1/30/17. The parties should appear telephonically to discuss the impact of the pending related state court action on this adversary proceeding, that is, whether the proceedings in this matter should be stayed pending the resolution of plaintiff's claims in state court. Appearances are required on 1/31/17, but counsel and plaintiff representing himself may appear by telephone.

Prior tentative ruling as of 10/3/16. Since plaintiff is pursuing liquidation of his substantive claims in state court litigation and the court would stay the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

CONT...

Gary Moll

Chapter 7

proceedings in this court until the state court litigation is completed, the court would deny the motion without prejudice. Appearances are required on 10/4/16, but counsel and self-represented parties may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits. Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the state court's order for dismissal without prejudice of the malpractice action in that court. It appears that the court should refer the case to the United States District Court because of the claim for personal injury damages must be determined by that court, which claim is intertwined with the dischargeability action. Alternatively, the court could abstain, allow plaintiff to refile the malpractice action in state court and not refer the case to the District Court. Appearances are required on 9/13/16, but the parties may appear by telephone.

Prior tentative ruling as of 8/22/16. No tentative ruling on the merits. The parties should address the court's request for clarification of dismissal order for the state court malpractice case and possible referral of case to the United States District Court because of the claim for personal injury damages. Appearances are required on 8/23/16, but counsel may appear by telephone.

No tentative ruling as of 8/8/16. Appearances are required on 8/9/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Gary Moll

Represented By
Ilyse Klavir
Gary E Moll

Defendant(s):

Gary E Moll

Represented By
Ilyse Klavir
Gary E Moll

Gary E Moll and Associates

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

CONT... Gary Moll

Chapter 7

Ilyse Klavir
Gary E Moll

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#17.00 Cont'd status conference re: Complaint for dischargeability 11 U.S.C. §523(a)(2), false pretenses, false representation, actual fraud and dischargeability; 11 U.S.C. §523(a)(6), willful and malicious injury; verification fr. 11/14/17, 5/15/18, 5/29/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/6/18. No tentative ruling on the merits. Appearances are required on 8/7/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/7/18. Off calendar. Continued by prior order to 5/29/18 at 2:30 p.m. to be conducted with hearing on plaintiff's motion to substitute party. No appearances are required on 5/15/18.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/30/17. The parties should appear telephonically to discuss the impact of the pending related state court action on this adversary proceeding, that is, whether the proceedings in this matter should be stayed pending the resolution of plaintiff's claims in state court. Appearances are required on 1/31/17, but counsel and plaintiff representing himself may appear by telephone.

Prior tentative ruling as of 10/3/16. Since plaintiff is pursuing liquidation of his

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

CONT... Gary Moll

Chapter 7

substantive claims in state court litigation, and the court would stay the proceedings in this court until the state court litigation is completed.

Appearances are required on 10/4/16, but counsel and self-represented parties may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits. Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the state court's order for dismissal without prejudice of the malpractice action in that court. It appears that the court should refer the case to the United States District Court because of the claim for personal injury damages must be determined by that court, which claim is intertwined with the dischargeability action. Alternatively, the court could abstain, allow plaintiff to refile the malpractice action in state court and not refer the case to the District Court. Appearances are required on 9/13/16, but the parties may appear by telephone.

Prior tentative ruling as of 8/22/16. No tentative ruling on the merits. The parties should address the court's request for clarification of dismissal order for the state court malpractice case and possible referral of case to the United States District Court because of the claim for personal injury damages. Appearances are required on 8/23/16, but counsel may appear by telephone.

Prior tentative ruling as of 8/8/16. No tentative ruling on the merits. Appearances are required on 8/9/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. Off calendar. The court noting that defendant has noticed a hearing on his motion to dismiss the first amended complaint on 8/9/16 at 3:30 p.m., the court continues on its own motion the status conference on 7/19/16 at 1:30 p.m. to the date and time of the hearing on defendant's motion to dismiss the first amended complaint on 8/9/16 at 3:30 p.m. No appearances are required on 7/19/16.

Prior tentative ruling. The status conference will be heard at 3:00 p.m. with the hearing on defendant's motion to dismiss. Appearances are required on 3:00 p.m. calendar, not the 1:30 p.m. calendar. No tentative ruling on the merits for the status conference.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

CONT... Gary Moll

Chapter 7

Debtor(s):

Gary Moll

Represented By
Ilyse Klavir

Defendant(s):

Gary E Moll

Represented By
Ilyse Klavir

Gary E Moll and Associates

Represented By
Ilyse Klavir

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

Howard M Ehrenberg (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

#18.00 Hearing re: Debtor's Motion For The Entry Of An Order: (1) Approving The Sale Of Real Property Free And Clear Of All Liens, Claims, Encumbrances, And Interests, With The Exception Of Enumerated Exclusions, Subject To Overbid, (2) Finding That The Buyer Is Good Faith Purchaser, (3) Approving Bidding Procedures And Break-Up Fee, (4) Authorizing And Approving The Payment Of Certain Claims From Sale Proceeds, And (5) Waiving The Fourteen-Day Stay Period Set Forth In Bankruptcy Rule 6004(h)

Docket 276

Tentative Ruling:

Treat as a contested matter under FRBP 9014 and set a schedule of pretrial and trial proceedings as to whether the sale is a reasonable exercise of business judgment, and whether the sale satisfies one of the conditions of 11 U.S.C. 363(f), in light of the opposition of the secured lender which is not restricted from claiming a higher amount for its lien due to a purported failure to file a proof of claim and of the original borrowers who were apparently debtor's clients. Appearances are required on 8/7/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:18-11475 Catherine Trinh

Chapter 11

#19.00 Hearing re: Motion for protective order regarding proposed Rule 2004 Examination of Kevin Voong

Docket 104

Tentative Ruling:

Revised tentative ruling as of 8/7/18. Off calendar. Continued by stipulation and order to 8/21/18 at 2:30 p.m. No appearances are required on 8/7/18.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:18-11475 Catherine Trinh

Chapter 11

#20.00 Hearing re: Second Generation, Inc's motion for examination of Kevin Voong pursuant to Fed. R. Bankr P 2004 and LBR 2004-1

Docket 100

Tentative Ruling:

Revised tentative ruling as of 8/7/18. Off calendar. Continued by stipulation and order to 8/21/18 at 2:30 p.m. No appearances are required on 8/7/18.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#21.00 Cont'd hearing re: Motion for relief from stay
(Behrouz Shadsirat VS Debtors)
fr. 6/5/18, 7/3/18

Docket 41

Tentative Ruling:

Updated tentative ruling as of 8/6/18. Off calendar. The hearing is moot because the motion for relief from stay was granted by order entered on 7/16/18. No appearances are required on 8/7/18.

Prior tentative ruling as of 7/2/18. Appearances are required on 7/3/18.

Prior tentative ruling. Since it appears that the state court litigation for which movant seeks stay relief based on mandatory abstention has been removed by debtors to this court, the court is inclined to deny the motion without prejudice because there is no pending litigation in state court for this court to abstain for. See *In re Roman Catholic Bishop of San Diego*, 374 B.R. 756, 760 (Bankr. S.D. Cal. 2007), citing inter alia, *Security Farms v. International Brotherhood of Teamsters*, 124 F.3d 999, 1009-1010 (9th Cir. 1997). Movant will need to bring a motion for equitable remand under 28 U.S.C. 1452(b) in conjunction with a renewed stay relief motion for the state court litigation to proceed. Appearances are required on 6/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

CONT... Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

Movant(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01148 Shadsirat v. Zargar et al

#22.00 Cont'd hearing re: Motion to remand [State Court Lawsuit]
fr. 7/3/18

Docket 8

***** VACATED *** REASON: Granted per order entered on 7/13/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/6/18. Off calendar. The hearing is moot because the motion for remand was granted by order entered on 7/13/18. No appearances are required on 8/7/18.

Prior tentative ruling as of 7/2/18 at 5:30 p.m. Having reviewed the moving and opposing papers, the court is of the view that the ruling will depend on the analysis of the various equitable remand factors set forth in *In re Cedar Funding, Inc.*, 419 B.R. 807, 820-821 and n. 18 (9th Cir. BAP 2009), citing, *In re Enron Corp.*, 296 B.R. 505, 508 n. 2 (C.D. Cal. 2003) and the ruling may well turn on the impact of movant's filing of a proof of claim in this bankruptcy case as discussed in *In re Conejo Enterprises, Inc.*, 96 F.3d 346, 353-354 (9th Cir. 1996). (In this regard, the court notes that the reliance of respondents on the superseded opinion in *In re Conejo Enterprises, Inc.*, 71 F.3d 1460, 1467 (9th Cir. 1995) for the proposition that "by filing a proof of claim a creditor forsakes its right to adjudicate before a jury any issue that bears directly on the allowance of that claim" is misplaced because the earlier opinion was superseded and the language of the earlier opinion was not incorporated into the superseding opinion and is thus inoperative.) Counsel should be prepared to discuss the equitable remand factors and the impact of filing of a proof of claim by movant on the analysis of these factors. Appearances are required on 7/3/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

CONT... Shahriar Joseph Zargar

Chapter 11

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Shabnam Mesachi

Represented By
Ashley M McDow

National Cash Inc

Represented By
Raymond H. Aver

Mohammad Khajehmiraki

Represented By
Raymond H. Aver

Davan Investment Corp

Represented By
Raymond H. Aver

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01148 Shadsirat v. Zargar et al

#23.00 Cont'd status conference re: Removal of state court action
[28 U.S.C. §1452; Fed. R. Bankr. P. 9027]
fr. 6/19/18, 7/3/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/6/18. Off calendar. The status conference is moot because the motion for remand was granted by order entered on 7/13/18. No appearances are required on 8/7/18.

Prior tentative ruling as of 7/2/18. Appearances are required on 7/3/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Shabnam Mesachi

Represented By
Ashley M McDow

National Cash Inc

Represented By
Raymond H. Aver

Mohammad Khajehmiraki

Represented By
Raymond H. Aver

Davan Investment Corp

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

CONT... Shahriar Joseph Zargar

Chapter 11

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:18-11525 Shahriar Joseph Zargar
Adv#: 2:18-01149 Shadsirat v. Zargar

Chapter 11

#24.00 Cont'd hearing re: Motion to remand [State Court Lawsuit]
fr. 7/3/18

Docket 8

***** VACATED *** REASON: Granted per order entered on 7/13/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/6/18. Off calendar. The hearing is moot because the motion for remand was granted by order entered on 7/16/18. No appearances are required on 8/7/18.

Prior tentative ruling as of 7/2/18 at 5:30 p.m. Having reviewed the moving and opposing papers, the court is of the view that the ruling will depend on the analysis of the various equitable remand factors set forth in *In re Cedar Funding, Inc.*, 419 B.R. 807, 820-821 and n. 18 (9th Cir. BAP 2009), citing, *In re Enron Corp.*, 296 B.R. 505, 508 n. 2 (C.D. Cal. 2003) and the ruling may well turn on the impact of movant's filing of a proof of claim in this bankruptcy case as discussed in *In re Conejo Enterprises, Inc.*, 96 F.3d 346, 353-354 (9th Cir. 1996). (In this regard, the court notes that the reliance of respondents on the superseded opinion in *In re Conejo Enterprises, Inc.*, 71 F.3d 1460, 1467 (9th Cir. 1995) for the proposition that "by filing a proof of claim a creditor forsakes its right to adjudicate before a jury any issue that bears directly on the allowance of that claim" is misplaced because the earlier opinion was superseded and the language of the earlier opinion was not incorporated into the superseding opinion and is thus inoperative.) Counsel should be prepared to discuss the equitable remand factors and the impact of filing of a proof of claim by movant on the analysis of these factors. Appearances are required on 7/3/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

CONT... Shahriar Joseph Zargar

Chapter 11

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez
Robert Gentino

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01149 Shadsirat v. Zargar

#25.00 Cont'd status conference re: Removal of state court action
[28 U.S.C. §1452; Fed. R. Bankr. P. 9027]
fr. 6/19/18, 7/3/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/6/18. Off calendar. The hearing is moot because the motion for remand was granted by order entered on 7/16/18. No appearances are required on 8/7/18.

Prior tentative ruling as of 7/2/18. Appearances are required on 7/3/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez
Robert Gentino

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:18-12964 Placemark Properties LLC

Chapter 7

#26.00 Hearing re: Motion for reconsideration (41 East Forest Ave)

Docket 82

***** VACATED *** REASON: Denied per order entered on 8/1/18-mb.**

Tentative Ruling:

Off calendar. Pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court determines that oral argument on the motion is not necessary, dispenses with it, takes the motion under submission, vacates the hearing and has issued a written order on the motion. No appearances are required on 8/7/18.

Party Information

Debtor(s):

Placemark Properties LLC

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:18-12964 Placemark Properties LLC

Chapter 7

#27.00 Hearing re: Motion for reconsideration (49340 Sunrose Lane)

Docket 81

***** VACATED *** REASON: Denied per order entered on 8/1/18-mb.**

Tentative Ruling:

Off calendar. Pursuant to Local Bankruptcy Rule 9013-1(j)(3), the court determines that oral argument on the motion is not necessary, dispenses with it, takes the motion under submission, vacates the hearing and has issued a written order on the motion. No appearances are required on 8/7/18.

Party Information

Debtor(s):

Placemark Properties LLC	Pro Se
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Trustee(s):

Howard M Ehrenberg (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:18-14134 Varduhi Badalyan

Chapter 7

#28.00 Cont'd hearing re: United States Trustee's motion to dismiss chapter 7 case for cause under 11 U.S.C. § 707(a), with a 180-day refiling bar, or in the alternative, motion to extend bar date for filing motion to dismiss case for abuse under 11 U.S.C. § 707(b)(3) and/or complaint under 11 U.S.C. §727 objecting to debtor's discharge fr. 7/3/18

Docket 11

Tentative Ruling:

Service of notice of motion is insufficient since not all creditors were served with notice of motion as required by FRBP 2002(a)(4), 9013 and 9014 since the motion is brought under 11 U.S.C. 707(a)(1) for cause, namely, unreasonable delay prejudicial to creditors, rather than 11 U.S.C. 707(a)(3) for failure to file information required under 11 U.S.C. 521(a)(1). Movant to serve amended notice of motion on all creditors with a new hearing date, or alternatively, deny motion without prejudice, but grant motion to extend deadline to file either a motion to dismiss for abuse under 11 U.S.C. 707(b)(3) or an adversary proceeding under 11 U.S.C. 727. Appearances are required on 7/3/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Varduhi Badalyan

Represented By
Ken Shakhgulyan

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:18-18334 Gilchrist G Louis

Chapter 7

#29.00 Hearing re: Application to have the chapter 7 filing fee waived

Docket 6

***** VACATED *** REASON: Fee installments granted per order entered
on 7/26/18-mb.**

Tentative Ruling:

Off calendar. The court approved the application in part, allowing debtor to pay the filing fee in installments. No appearances are required on 8/7/18.

Party Information

Debtor(s):

Gilchrist G Louis

Pro Se

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:18-18426 Keven Matthew Beckenhaupt

Chapter 7

#30.00 Hearing re: Application to have the chapter 7 filing fee waived

Docket 6

***** VACATED *** REASON: Granted per order entered on 7/26/18-mb.**

Tentative Ruling:

Off calendar. The court approved the application by order entered on 7/26/18. No appearances are required on 8/7/18.

Party Information

Debtor(s):

Keven Matthew Beckenhaupt	Pro Se
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Movant(s):

Keven Matthew Beckenhaupt	Pro Se
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Trustee(s):

David M Goodrich (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 7, 2018

Hearing Room 1675

2:30 PM

2:18-18473 Moises Zazueta and Blanca O Zazueta

Chapter 7

#31.00 Hearing re: Application to have the chapter 7 filing fee waived

Docket 6

***** VACATED *** REASON: Granted per order entered on 7/26/18-mb.**

Tentative Ruling:

Off calendar. The court approved the application by order entered on 7/26/18. No appearances are required on 8/7/18.

Party Information

Debtor(s):

Moises Zazueta	Pro Se
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Joint Debtor(s):

Blanca O Zazueta	Pro Se
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Trustee(s):

Edward M Wolkowitz (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of plan
fr. 8/16/17, 1/31/18, 6/6/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 8/7/18. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. The court has reviewed the plan agent's status report. No tentative ruling on the merits. Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/30/18. The court has reviewed the plan agent's status report. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. The court has reviewed plan agent's status report. No tentative ruling on the merits. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the plan agent's postconfirmation status report. No tentative ruling on the merits. The court is interested in hearing from the plan agent and the parties regarding the status of plan implementation in light of the current administrative insolvency of the case, including the ability of reorganized debtor to fund continuing operations, possible resolution of plan defaults from inability and failure of the estate/reorganized debtor to pay allowed administrative expense claims now due, and the status of settlement discussions with the Wilshire property

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

10:00 AM

CONT... Art and Architecture Books of the 21st Century Chapter 11
landlord and art consignor creditors. Appearances are required on 9/21/16,
but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#2.00 Cont'd hearing re: Motion of Robins Kaplan LLP for allowance of administrative expense claim pursuant to section 503(b)(4) of the bankruptcy code fr. 8/16/17, 1/31/1, 6/6/18

Docket 2112

Tentative Ruling:

Updated tentative ruling as of 8/7/18. No tentative ruling on the merits. Appearances are required on 8/8/18, but counsel may appear by telephone.

Updated tentative ruling as of 6/4/18. No tentative ruling on the merits. Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 8/14/17. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/16. Appearances are required on 11/30/16, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014. The parties should be prepared to discuss whether an evidentiary hearing is needed to resolve the disputed factual issues of whether fees for applicant's services on behalf of a creditor or equity holder were actual and necessary in making a substantial contribution to the Chapter 11 case under 11 U.S.C. 503(b)(3) and (4), and if so, what their discovery and other pretrial needs are.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

10:00 AM

CONT... Art and Architecture Books of the 21st Century Chapter 11

In addition, or in the alternative, deny as time-barred since application was filed on August 24, 2016 after the bar date for filing administrative expense professional fee claims of May 6, 2016 pursuant to Section 3.2 of Confirmed Plan at page 23, ECF 1859, based on a plan effective date of April 6, 2016. See Notice of Effective Date, ECF 1907, filed on April 7, 2016. Appearances are required on 9/21/16 to discuss scheduling of further proceedings.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Thomas M Geher
David W. Meadows
David W. Meadows
Jerome S Cohen
Jerome S Cohen
Carolyn A Dye
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#3.00 Cont'd hearing re: Fourth and final application of Levene, Neale, Bender, Yoo & Brill L.L.P. for approval of fees and reimbursement of expenses for Kurt Ramlo, Debtor's Attorney, Period: 11/16/2015 to 5/6/2016, Fee: \$618,081.00, Expenses: \$44,014.52. fr. 8/16/17, 1/31/18, 6/6/18

Docket 2000

Tentative Ruling:

Updated tentative ruling as of 8/7/18. No tentative ruling on the merits. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. No tentative ruling on the merits. Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 8/14/17. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/16. Appearances are required on 11/30/16, but counsel may appear by telephone.

No tentative ruling as of 9/19/16. The court has not completed its review of the application and will continue the hearing. Appearances are required on 9/21/16 to discuss continuance, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

10:00 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Debtor(s):

Art and Architecture Books of the

Represented By

Thomas M Geher

David W. Meadows

Jerome S Cohen

Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#4.00 Cont'd hearing re: Fourth and final application of SulmeyerKupetz, a professional corporation, general bankruptcy counsel for official committee of unsecured creditors, for allowance and payment of fees and expenses, Period: 11/14/2015 to 4/6/2016, Fee: \$1,222,090.50, Expenses: \$71,194.27.
fr. 8/16/17, 1/31/18, 6/6/18

Docket 2004

Tentative Ruling:

Updated tentative ruling as of 8/7/18. No tentative ruling on the merits.
Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. No tentative ruling on the merits.
Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits.
Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 8/14/17. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

No tentative ruling as of 9/19/16. The court has not completed its review of the application and will continue the hearing. Appearances are required on 9/21/16 to discuss continuance, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

10:00 AM

CONT...

Art and Architecture Books of the 21st Century

David W. Meadows

Jerome S Cohen

Carolyn A Dye

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11
Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#5.00 Cont'd status conference re: Complaint for: (1) Avoidance, recovery, and preservation of fraudulent transfers; (2) Avoidance, recovery, and preservation of preferential transfers; (3) Turnover of property; (4) Avoidance and recovery of transfers; (5) Avoidance and recovery of post-petition transfers to defendant ACE Gallery New York Corporation; and (6) Disallowance of claims
fr. 3/7/18, 4/4/18, 6/6/18

Docket 1

***** VACATED *** REASON: Cont'd from 8/8/18 to 9/12/18 at 10:00 a.m.
per stip & order entered on 7/25/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/7/18. Off calendar. Continued by stipulation and order to 9/12/18 at 10:00 a.m. No appearances are required on 8/8/18.

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits. Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits. Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

No updated tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

10:00 AM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Prior tentative ruling as of 12/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/13/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings in light of the anticipated motion to consolidate related actions, but counsel may appear by telephone.

Prior tentative ruling as of 6/20/16. No tentative ruling on the merits. Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/25/16. Off calendar. The court has reviewed plan agent's unilateral status report stating that the deadline for defendant's response was extended to 4/29/16 and that the matter is not yet at issue, and the court on its own motion continues the status conference to 6/21/16 at 1:30 p.m. pending defendant's response to the complaint. No appearances are required on 4/26/16.

No tentative ruling as of 2/22/16. Appearances are required on 2/23/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Ron Bender
Beth Ann R Young
Krikor J Meshefejian
Kurt Ramlo
David W. Meadows

Defendant(s):

Ace Gallery New York Corporation,

Pro Se

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

10:00 AM

**CONT... Art and Architecture Books of the 21st Century
Victor A Sahn**

Chapter 11

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

2:12-28426 Chestnut, LLC

Chapter 11

#6.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 6/14/17, 12/13/17, 5/16/18

Docket 59

Tentative Ruling:

Updated tentative ruling as of 8/7/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/11/18. Off calendar. The court has reviewed debtor's status report filed on 5/9/18 reporting that debtor is preparing a motion for final decree and requesting a 60 to 90 day continuance of the status conference for such motion to be noticed and heard. The court on its own motion continues the status conference to 8/8/18 at 11:00 a.m. No appearances are required on 5/16/18.

Updated tentative ruling as of 12/11/17. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/13/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/17. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. Appearances are required on 3/16/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

CONT... Chestnut, LLC

Chapter 11

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 5/11/15. Appearances are required on 5/12/15, but counsel may appear by telephone.

Party Information

Debtor(s):

Chestnut, LLC

Represented By
Raymond H Aver

Movant(s):

Chestnut, LLC

Represented By
Raymond H Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#7.00 Hearing re: Application to employ Vista Sotheby's International Realty / Kristen Novoa as broker to market and sell estate real property located at 1447 10th Street, Manhattan Beach, CA 90266

Docket 495

Tentative Ruling:

The court is inclined to approve the employment application of the real estate broker for the reasons stated in the application. Appearances are required on 8/8/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#8.00 Hearing re: Debtor's motion to authorize listing for sale and establish procedures for selling estate real property located at 1447 10th Street, Manhattan Beach, CA 90266

Docket 496

Tentative Ruling:

While the court is inclined to grant the motion to authorize the listing of the property for sale, the court agrees with creditor Cindy Magleby that there should be an overbid procedure to sufficiently expose the property to the marketplace. The court is not persuaded by the arguments of Debtor or the broker to warrant dispensing with the overbidding. The court also agrees with the creditor's argument based on the express language of 11 U.S.C. 363(i) that the sale is subject to her "right of first refusal". Regarding the proposed conditions of sale requested by Debtor and the creditor, these matters will need to be thoroughly discussed and worked out before the court will authorize a listing and a sales process, given that Mrs. Magleby is a nondebtor, co-owner of the property, and that there may be outstanding family law court orders that may have an impact on the sales process (though these are not specifically identified in her papers). Appearances are required on 8/8/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#8.10 Cont'd pretrial conference re: Debtor's motion to disallow claims of Cindy S. Magleby (claim numbers 13, 7, and 12) fr. 5/9/18, 7/31/18, 8/1/18

Docket 390

Tentative Ruling:

Updated tentative ruling as of 8/7/18. The parties filed unilateral pretrial statements rather than a joint pretrial statement. Before the court imposes monetary sanctions of \$250 against the culpable party/ies for failing to file a joint pretrial statement as required by LBR 7016-1, the court will afford the parties an opportunity to complete and file a joint pretrial statement as required and intends to continue the pretrial conference for this purpose. Appearances are required on 8/8/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed the unilateral pretrial statements of the parties, which are incomplete and inadequate and will not be approved. The "statements" should be a joint pretrial stipulation, and they lack the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court notes that claimant has a pending motion for abstention on her claims set for hearing on 3/21/18. If the court abstains, this itself will not postpone plan confirmation proceedings because the parties may request the court to estimate the claims for voting on plan confirmation. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. If claimant believes that the court should permissively abstain from hearing this contested matter, then she should bring a proper motion for abstention rather than raising the request in her opposition to the objection. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). However, it seems to the court that it could properly hear the objection to claim as a core proceeding under 28 U.S.C. 157(b)(2)(B) and not abstain under *In re Conejo Enterprises, Inc.*, 96 F.3d 346 (9th Cir. 1996). Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#8.20 Cont'd pretrial conference re: Renewed motion for order disallowing claims of Fried & Goldsman, APLC (claim no. 15) and Taylor and Liberman (claim no. 16) fr. 5/9/18, 7/31/18, 8/1/18

Docket 394

Tentative Ruling:

Updated tentative ruling as of 8/7/18. Because the parties filed their joint pretrial statement late, the joint pretrial statement is voluminous and the parties in the related contested matter of Debtor's objection to the claim of Cindy Magleby, claimants' client, filed unilateral pretrial statements rather than a joint pretrial statement as required, the court intends to continue the pretrial conference for this matter to be coordinated with the pretrial conference for the contested matter of Debtor's objection to the claim of Cindy Magleby and to allow additional time for review of the joint pretrial statement. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

- #8.30** Cont'd pretrial conference re: Complaint to recover property of the estate and for turnover of property of the estate pursuant to section 542(a) of the United States Bankruptcy Code, 11 U.S.C. §542(a) fr. 5/9/18, 7/31/18, 8/1/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/7/18. The parties filed unilateral pretrial statements rather than a joint pretrial statement. Before the court imposes monetary sanctions of \$250 against the culpable party/ies for failing to file a joint pretrial statement as required by LBR 7016-1, the court will afford the parties an opportunity to complete and file a joint pretrial statement as required and intends to continue the pretrial conference for this purpose. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed defendant's unilateral pretrial statement, which is incomplete and inadequate and will not be approved. The "statement" should be a joint pretrial stipulation, and it lacks the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Cindy Magleby

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

Plaintiff(s):

Curtis C. Magleby

Represented By
Alan F Broidy

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#8.40 Cont'd hearing re: Disclosure statement
fr. 5/9/18, 6/27/18, 8/1/18

Docket 174

Tentative Ruling:

No updated tentative ruling as of 8/7/18. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. Off calendar. The court on its own motion continues the hearing to 8/8/18 at 11:00 a.m. No appearances are required on 8/1/18.

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court has reviewed debtor's status update and request to continue the status conference. No tentative ruling on the merits. Appearances are required on 3/7/18 to discuss scheduling and the the impact of treatment on creditor Cindy Magleby's claims for plan voting and abstention among other things, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. The court notes that debtor filed a second amended disclosure statement on 1/30/18, 8 days before the further hearing on 2/7/18. Creditor Banc of California filed a response on 1/31/18 objecting to debtor's noticing approval of the amended disclosure statement for the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

CONT...

Curtis C. Magleby

Chapter 11

hearing on 2/7/18, citing the court's oral ruling that creditors should be given 3 weeks notice of hearing on an amended disclosure statement. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, including adequate time for creditors to respond to debtor's second amended disclosure statement and a scheduling of a further hearing on debtor's second amended disclosure statement to allow for review and comment by creditors and interested parties, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. The court has reviewed debtor's status report. Appearances are required on 11/29/17 to discuss scheduling of further proceedings, including filing date for debtor's second amended disclosure statement, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. Debtor in his status report filed on 2/22/17 indicated that he and his counsel are working on revising and amending the original disclosure statement to include a revised and updated liquidation analysis and taking into account resolutions of claims of creditors, including First Republic Bank (however, the court notes that it disapproved without prejudice the stipulation resolving claim of First Republic Bank in light of objection of creditor Cindy Magelby since it appears that debtor will need to bring a FRBP 9019 motion). Appearances are required on 3/1/17 regarding scheduling of further proceedings for an amended and revised disclosure statement, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#9.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/24/18, 4/25/18, 6/27/18

Docket 1

***** VACATED *** REASON: Cont'd from 8/8/18 to 9/19/18 at 11:00 a.m.
per stip & order entered on 7/27/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/7/18. Off calendar. Continued by stipulation and order to 9/19/18 at 11:00 a.m. No appearances are required on 6/27/18.

Prior tentative ruling as of 6/25/18. Off calendar. Continued by stipulation and order to 8/8/18 at 11:00 a.m. No appearances are required on 6/27/18.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. No tentative ruling on the merits. Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits. Appearances are required on 10/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Shapphire Resources, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

2:00 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#10.00 Cont'd hearing re: Plaintiff/creditor James Lee Clark's motion for an order for sanctions including terminating sanctions against defendant/debtor Rita Ellison-Farris fr. 4/3/18, 4/10/18

Docket 362

Tentative Ruling:

No updated tentative ruling as of 8/7/18. Appearances are required on 8/8/18.

No tentative ruling as of 4/9/18. Appearances are required on 4/10/18.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

2:00 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#11.00 Cont'd hearing re: Motion of plaintiff/creditor James Lee Clark for an order compelling discovery and sanctions against defendant/debtor Rita Ellison-Farris fr. 1/16/18, 1/30/18, 5/1/18

Docket 351

Tentative Ruling:

No updated tentative ruling as of 8/7/18. Appearances are required on 8/8/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

Updated tentative ruling as of 1/12/18. Plaintiff moves to compel discovery to defendant with respect to: (1) his request for admissions, (2) his interrogatories and (3) his requests for production of documents. As to the request for admissions, the motion is unnecessary because if the requests for admissions are properly served, the requested matters for admission are deemed admitted if not timely denied. As to the interrogatories, the motion should be denied because the interrogatories are invalid because plaintiff did not sign them. On the copy of the interrogatories attached to the motion, there is no signature of plaintiff on his interrogatories as required by Federal Rule of Bankruptcy Procedure 9011(a). Plaintiff will need to sign them before he can move to compel defendant to respond to them. As to the request for production of documents, the motion does not comply with Local Bankruptcy Rule 9026-1(c) because plaintiff has not submitted a discovery dispute stipulation to be completed by both parties as to their positions on the discovery dispute. Plaintiff appears to have met the requirement of a meet and confer request to defendant's counsel, to which there was apparently no response, but plaintiff still needs to submit the joint discovery dispute stipulation required by Local Bankruptcy Rule 7026-1(c). The court wants the parties to conduct a meet and confer meeting regarding the interrogatories and the request for production of documents once plaintiff signs the interrogatories. Appearances are required on 1/16/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

2:00 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

2:00 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#12.00 Cont'd status conference re: Complaint: 1) objecting to discharge
2) breach of contract 3) breach of implied covenant of good faith
and fair dealing 4) conversion 5) negligence 6) breach of fiduciary duty
7) constructive fraud 8) fraudulent concealment 9) wrongful foreclosure
10) interference with prospective economic advantage
fr. 9/5/17, 1/30/18, 5/1/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 8/7/18. Plaintiff filed a motion for leave to file a further amended complaint, so the case may not be at issue until the motion is resolved. The motion is not noticed for hearing, but defendant to comment whether she opposes the motion. Appearances are required on 8/8/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

No tentative ruling as of 9/1/17. Appearances are required on 9/5/17.

No tentative ruling as of 7/31/17. Appearances are required on 8/1/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 5/26/17. No tentative ruling on the merits. Appearances are required on 5/30/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 2/27/17. No tentative ruling on the merits. Appearances are required on 2/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/13/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

2:00 PM

CONT... Rita Gail Farris-Ellison Chapter 7

Appearances are required on 2/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/16. No tentative ruling on the merits.
Appearances are required on 12/6/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits.
Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits.
Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/18/16. No tentative ruling on the merits.
Appearances are required on 4/19/16, but counsel may appear by telephone.

Party Information

Attorney(s):

Deborah Bronner	Represented By Deborah R Bronner
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Debtor(s):

Rita Gail Farris-Ellison	Represented By James Bryant
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Defendant(s):

Rita Gail Farris-Ellison	Represented By James Bryant
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Just that EZ Financial	Pro Se
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Lenders Escrow Inc	Pro Se
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Does 1 Through 100 Inclusive	Pro Se
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Mediator(s):

David A. Gill	Pro Se
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Plaintiff(s):

James Lee Clark	Represented By
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

2:00 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Justin D Graham

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

Sam S Leslie (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

2:00 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:14-01088 Clark v. Farris-Ellison

#13.00 Cont'd status conference re: Creditor, James Lee Clark's complaint to determine nondischargeability of debtors/defendant's debt [Pursuant to 11 U.S.C. §523(a)(2); 11 U.S.C. §523(a)(6)] fr. 9/5/17, 1/30/18, 5/1/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 8/6/18. Appearances are required on 8/8/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

No tentative ruling as of 9/1/17. Appearances are required on 9/5/17.

No tentative ruling as of 7/31/17. Appearances are required on 8/1/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 5/26/17. No tentative ruling on the merits. Appearances are required on 5/30/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 2/27/17. No tentative ruling on the merits. Appearances are required on 2/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/13/17. No tentative ruling on the merits. Appearances are required on 2/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/16. No tentative ruling on the merits. Appearances are required on 12/6/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

2:00 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits.
Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits.
Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/18/16. No tentative ruling on the merits.
Appearances are required on 4/19/16, but counsel may appear by telephone.

No updated tentative ruling as of 2/22/16. Appearances are required on
2/23/16.

No updated tentative ruling as of 8/24/15. Appearances are required on
8/25/15.

No tentative ruling as of 4/27/15. Appearances are required on 4/28/15.

Updated tentative ruling as of 3/9/15. No tentative ruling on the merits.
Appearances are required on 3/10/15. Defendant to address why there is no
proof of service of answer filed on 2/10/15.

Prior tentative ruling as of 11/17/14. No tentative ruling on the merits.
Appearances are required on 11/18/14.

Updated tentative ruling as of 9/29/14. The status conference will be
conducted on the 3:00 p.m. calendar with the hearing on the motion for
summary judgment. No tentative ruling on the merits. Appearances are
required on 9/30/14 at 3:00 p.m., not 1:30 p.m.

Prior tentative ruling as of 6/23/14. No tentative ruling on the merits.
Appearances are required on 6/24/14.

Updated tentative ruling as of 5/12/14. No tentative ruling on the merits.
Appearances are required on 5/13/14 to discuss status of state court
proceedings, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. The court notes

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 8, 2018

Hearing Room 1675

2:00 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

procedural problems with the adversary proceeding: (1) first, plaintiff has not served counsel for debtors as required by Rule 7004(g) of the Federal Rules of Bankruptcy Procedure; (2) plaintiff is seeking the same relief as in the prior adversary proceeding, which was dismissed, and there may be a bar against such relitigation by claim or issue preclusion. Appearances are required on 4/15/14.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

Sam S Leslie (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 9, 2018

Hearing Room 1675

9:00 AM

2:16-17064 Maria Virginia Marti
Adv#: 2:16-01270 Romero v. Marti

Chapter 7

#1.00 CONT'D TRIAL RE: Plaintiff Mario Romero's complaint for adversary proceedings and nondischargeability of defendants' debt pursuant to: (1) 11 U.S.C. §§ 727(a)(2), 727(a)(3); 727(a)(4) and 727(a)(7); (2) 11 U.S.C. §523; 523(a)(4); 523(6); and 11 U.S.C. §523(a)(19); (3) Nondischargeability fr. 2/6/18, 8/2/18, 8/3/18

Docket 1

***** VACATED *** REASON: Four day trial vacated per hearing held on 6/5/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/31/18. Off calendar. Trial date was vacated at hearing on 6/5/18. No appearances are required on 8/9/18.

Prior tentative ruling as of 2/5/18. Plaintiff lodged "[Proposed] Stipulated Pretrial Conference Order," which the court has rejected as deficient under LBR 7016-1 because of lack of signature of defendant's counsel, numerous typographical errors and failure to address all claims of second amended complaint. The document to be submitted first is a "Joint Pretrial Stipulation", and later an order approving that document if it is in proper form. Both parties have independent duties to participate in the preparation and filing of the pretrial conference documents under LBR 7016-1. Plaintiff filed "joint" witness list twice, but no "joint" exhibit list, but these documents have no indication that they are "joint" since no signature of defendant's counsel is provided. These documents do not excuse either party since there is no indication from defendant that defendant has met the requirements of submitting joint pretrial documents with plaintiff under LBR 7016-1. The parties should be prepared to discuss how the court should proceed with all non-dismissed claims alleged in plaintiff's second amended complaint. The court has orally indicated that the claims under 11 U.S.C. 727 should be tried first and that the claims under 11 U.S.C. 523 should be deferred until the state court appellate litigation has been completed on related claims (or the court should permissively abstain in favor of the state courts on the related claims). The parties should report on the status of the state court appellate

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 9, 2018

Hearing Room 1675

9:00 AM

CONT...

Maria Virginia Marti

Chapter 7

litigation. The court is considering imposing sanctions of \$250 against each counsel for their continued failures to submit documents that fully comply with the pretrial conference requirements of LBR 7016-1. Appearances are required on 2/6/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18.

Prior tentative ruling as of 11/13/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 11/14/17.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/15/17.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/24/17 to discuss scheduling, particularly sequencing of discovery, but counsel may appear by telephone.

Prior tentative ruling as of 10/24/16. Appearances are required on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/26/16. Off calendar. By separate order, the court continues the hearing on its own motion to 10/25/16 at 3:00 p.m. No appearances are required on 9/27/16.

Prior tentative ruling. Continued on the court's own motion by separate order to 9/20/16 at 3:00 p.m. No appearances are required on 8/16/16.

Party Information

Debtor(s):

Maria Virginia Marti

Represented By
Anita Khachikyan

Defendant(s):

Maria Virginia Marti

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 9, 2018

Hearing Room 1675

9:00 AM

CONT... Maria Virginia Marti

Chapter 7

Plaintiff(s):

Mario Romero

Represented By
Dimitrios P Biller

Trustee(s):

Jason M Rund (TR)

Pro Se

Jason M Rund (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 9, 2018

Hearing Room 1675

10:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#2.00 Hearing re: Lodged plan confirmation order
fr. 5/31/18, 6/14/18, 6/26/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 7/31/18. No tentative ruling on the merits.
Appearances are required on 8/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/26/18, but counsel may appear by telephone.

No updated tentative ruling as of 6/14/18. Appearances are required on
6/14/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/25/18. No tentative ruling will be issued for
the evidentiary hearing on plan confirmation. Appearances are required on
5/31/18.

No updated tentative ruling as of 4/23/18. Appearances are required on
4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on
4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on
4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on
3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 9, 2018

Hearing Room 1675

10:00 AM

CONT... Swing House Rehearsal and Recording, Inc. Chapter 11

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by
telephone.

Prior tentative ruling. Based on the stipulation and order entered on
10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and
11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at
9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by
telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, August 10, 2018

Hearing Room 1675

9:00 AM

2:16-17064 Maria Virginia Marti
Adv#: 2:16-01270 Romero v. Marti

Chapter 7

#1.00 CONT'D TRIAL RE: Plaintiff Mario Romero's complaint for adversary proceedings and nondischargeability of defendants' debt pursuant to: (1) 11 U.S.C. §§ 727(a)(2), 727(a)(3); 727(a)(4) and 727(a)(7); (2) 11 U.S.C. §523; 523(a)(4); 523(6); and 11 U.S.C. §523(a)(19); (3) Nondischargeability fr. 2/6/18, 8/2/18, 8/3/18, 8/9/18

Docket 1

***** VACATED *** REASON: Four day trial vacated per hearing held on 6/5/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 7/31/18. Off calendar. Trial date was vacated at hearing on 6/5/18. No appearances are required on 8/10/18.

Prior tentative ruling as of 2/5/18. Plaintiff lodged "[Proposed] Stipulated Pretrial Conference Order," which the court has rejected as deficient under LBR 7016-1 because of lack of signature of defendant's counsel, numerous typographical errors and failure to address all claims of second amended complaint. The document to be submitted first is a "Joint Pretrial Stipulation", and later an order approving that document if it is in proper form. Both parties have independent duties to participate in the preparation and filing of the pretrial conference documents under LBR 7016-1. Plaintiff filed "joint" witness list twice, but no "joint" exhibit list, but these documents have no indication that they are "joint" since no signature of defendant's counsel is provided. These documents do not excuse either party since there is no indication from defendant that defendant has met the requirements of submitting joint pretrial documents with plaintiff under LBR 7016-1. The parties should be prepared to discuss how the court should proceed with all non-dismissed claims alleged in plaintiff's second amended complaint. The court has orally indicated that the claims under 11 U.S.C. 727 should be tried first and that the claims under 11 U.S.C. 523 should be deferred until the state court appellate litigation has been completed on related claims (or the court should permissively abstain in favor of the state courts on the related claims). The parties should report on the status of the state court appellate

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, August 10, 2018

Hearing Room 1675

9:00 AM

CONT...

Maria Virginia Marti

Chapter 7

litigation. The court is considering imposing sanctions of \$250 against each counsel for their continued failures to submit documents that fully comply with the pretrial conference requirements of LBR 7016-1. Appearances are required on 2/6/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18.

Prior tentative ruling as of 11/13/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 11/14/17.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/15/17.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/24/17 to discuss scheduling, particularly sequencing of discovery, but counsel may appear by telephone.

Prior tentative ruling as of 10/24/16. Appearances are required on 10/25/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/26/16. Off calendar. By separate order, the court continues the hearing on its own motion to 10/25/16 at 3:00 p.m. No appearances are required on 9/27/16.

Prior tentative ruling. Continued on the court's own motion by separate order to 9/20/16 at 3:00 p.m. No appearances are required on 8/16/16.

Party Information

Debtor(s):

Maria Virginia Marti

Represented By
Anita Khachikyan

Defendant(s):

Maria Virginia Marti

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, August 10, 2018

Hearing Room 1675

9:00 AM

CONT... Maria Virginia Marti

Chapter 7

Plaintiff(s):

Mario Romero

Represented By
Dimitrios P Biller

Trustee(s):

Jason M Rund (TR)

Pro Se

Jason M Rund (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 15, 2018

Hearing Room 1675

9:00 AM

2:17-22432 Point.360, a California Corporation

Chapter 11

#1.00 Mediation

Docket 0

Tentative Ruling:

No tentative ruling will be issued for the mediation. Appearances are required on 8/15/18.

Party Information

Debtor(s):

Point.360, a California Corporation

Represented By
Lewis R Landau
Daniel P Hogan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 16, 2018

Hearing Room 1675

1:00 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#1.00 Cont'd hearing re: Lodged plan confirmation order
fr. 6/14/18, 6/26/18, 8/9/18

Docket 1

Courtroom Deputy:

[Motion to allow & pay admin. expense claims set on 9/4/18 at 2:30 p.m.]

[Per hearing held on 5/31/18, further status conference on
post confirmation of plan is set on 10/3/18 at 11:00 a.m.]

Tentative Ruling:

Updated tentative ruling as of 7/31/18. No tentative ruling on the merits.
Appearances are required on 8/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/26/18, but counsel may appear by telephone.

No updated tentative ruling as of 6/14/18. Appearances are required on
6/14/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/25/18. No tentative ruling will be issued for
the evidentiary hearing on plan confirmation. Appearances are required on
5/31/18.

No updated tentative ruling as of 4/23/18. Appearances are required on
4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on
4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 16, 2018

Hearing Room 1675

1:00 PM

CONT... Swing House Rehearsal and Recording, Inc.
4/2/18, but counsel may appear by telephone.

Chapter 11

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(U.S. Bank National Association VS Debtor)

Docket 506

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 4 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Movant(s):

U.S. Bank National Association, not

Represented By
Dane W Exnowski

Trustee(s):

Wesley H Avery (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

CONT...

Chul Hyun Gong

Jeffrey L Sumpter

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Ally Bank VS Debtor)

RE: (2010 Mercedes Sprinter 250 Vin # WD3PE7CC3A5473680)

Docket 178

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Ally Bank VS Debtor)

RE: (2010 Mercedes Sprinter 250 Vin # WD3PE7CCXA5426596)

Docket 177

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

2:18-12552 Zero Energy Contracting, Inc

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Ally Bank VS Debtor)

RE: (2011 Mercedes Sprinter 250 Vin # WD3PE7CC9B5599544)

Docket 176

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Zero Energy Contracting, Inc

Represented By
Devin Sreecharana
Andrew Harnisch
Grant Cartwright

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

2:18-15562 Andre Silva

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(MAS Financial Services VS Debtor)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Andre Silva

Represented By
Antonio John Ibarra

Movant(s):

MAS Financial Services

Represented By
Paul V Reza

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

CONT... Andre Silva

Chapter 7

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

2:18-16598 Nicholas Bowes and Luddivina Bowes

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Alliant Credit Union VS Debtors)

Docket 14

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Nicholas Bowes

Represented By
Todd L Turoci

Joint Debtor(s):

Luddivina Bowes

Represented By
Todd L Turoci

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

2:18-16645 Zolia Areli Sanchez

Chapter 7

#7.00 Cont'd hearing re: Motion for relief from stay
(U.S. Bank National Association VS Debtor)

Docket 17

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers because there is no equity based on the amount owed as attested by movant and the value stated in debtor's bankruptcy schedules and that this is a Chapter 7 liquidation case and the property is not needed for the reorganization of debtor. No tentative ruling on movant's request for the 14-day waiting period under FRBP 4001(a)(3).

Appearances are required on 8/21/18 in light of debtor's opposition to the motion, but counsel may appear by telephone.

Party Information

Debtor(s):

Zolia Areli Sanchez

Pro Se

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

2:18-17006 Andres Salazar and Ana Laura Hernandez Lopez

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(TD Auto Finance LLC VS Debtors)

Docket 14

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Andres Salazar

Represented By
Javier H Castillo

Joint Debtor(s):

Ana Laura Hernandez Lopez

Represented By
Javier H Castillo

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

2:18-17421 Franc Milos

Chapter 7

#9.00 Hearing re: Motion for relief from stay
(Wescom Credit Union VS Debtor)

Docket 8

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Franc Milos

Represented By
Peter M Lively

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

2:18-17681 Guillermina Yepez Vega

Chapter 7

#10.00 Hearing re: Motion for relief from stay
(PI Orange Avenue, LLC VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Guillermina Yepez Vega

Represented By
Randy Alexander

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

2:18-17915 Juan Carlos Guevara

Chapter 7

#11.00 Hearing re: Motion for relief from stay
(Housepath Partners LP VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers.

Deny request for extraordinary relief in paragraph 4 for stay annulment for failing to show that the legal standards of National Environmental Waste Corp. v. City of Riverside (In re National Environmental Waste Corp.), 129 F.3d 1052 (9th Cir. 1997) and In re Gasprom, Inc., 500 B.R. 598 (9th Cir. BAP 2013) have been met.

Deny requests for extraordinary relief in paragraphs 7, 8, 9, 10 and 11 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

Deny request for relief under 11 U.S.C. 362(d)(4) because movant as purchaser at a foreclosure sale is not a secured creditor with standing to seek relief under that statute. In re Ellis, 523 B.R. 673 (9th Cir. BAP 2014).

No tentative ruling on movant's request for waiver of the 14-day waiting period under FRBP 4001(a)(3) in light of debtor's opposition to the motion.

Appearances are required on 8/21/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Juan Carlos Guevara

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

CONT... Juan Carlos Guevara

Chapter 7

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

2:18-17918 Hae Chun Sim

Chapter 7

#12.00 Hearing re: Motion for relief from stay
(Hyundai Lease Titling Trust VS Debtor)

Docket 8

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Hae Chun Sim

Pro Se

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

2:18-17993 Patchree Patchrint

Chapter 7

#13.00 Hearing re: Motion for relief from stay
(Hope Enterprises, LLC VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived.

Deny request for extraordinary relief in paragraph 3 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

Deny request for relief under 11 U.S.C. 362(b)(22) and (23) that there is no stay since movant has not met the conditions of these provisions with evidence of a judgment for possession under 11 U.S.C. 362(b)(22) and evidence of illegal use of controlled substances on the property or endangerment to the property.

Movant requested relief under 11 U.S.C. 362(b)(22) and (23) and for stay annulment without any reasonable basis in fact and law, and the court requires signing counsel for movant, Linda T. Hollenbeck, to appear and show cause why sanctions of \$100 should not be imposed against him and her law firm, Hollenbeck & Carodoso, LLP, for requesting such relief without a reasonable basis in fact and law under Fed. R. Bankr. P. 9011.

Appearance of counsel for movant is required on 8/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Patchree Patchrint

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

10:30 AM

CONT... Patchree Patchrint

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

11:00 AM

2:16-26739 Kyong Don Chu

Chapter 7

Adv#: 2:17-01223 Nextwave Enterprises LLC v. Chu

#14.00 EVIDENTIARY HEARING RE: Plaintiff's motion for default judgment under LBR 7055-1
fr. 2/13/18, 4/3/18, 7/12/18

Docket 19

Tentative Ruling:

Updated tentative ruling as of 8/20/18. No tentative ruling on the merits. Appearances are required on 8/21/18.

Prior tentative ruling as of 4/2/18. After reviewing the supplemental papers, the court believes that they are not sufficient to demonstrate the transfer of the subject property was fraudulent, and the court will set a hearing for plaintiff to offer evidence to prove up the fraudulent transfer, such as eyewitness testimony that defendant is continuing to operate his business and otherwise exercise dominion and control over the transferred property to deem it to be his. The court is considering ordering plaintiff to serve defendant with a subpoena to appear at the prove up hearing. Appearances are required on 4/3/18, but counsel may appear by telephone.

Prior tentative ruling. The court on its own motion is continuing the hearing and status conference to 4/3/18 at 1:30 p.m. for plaintiff to file supplemental briefing to demonstrate that the elements of a claim for fraudulent transfer either under state and/or federal law has been met setting forth the factual basis for the court to grant the motion for default judgment on its claims under 11 U.S.C. 523(a)(2)(A) and (a)(6). Plaintiff must file its supplemental brief citing the elements of a fraudulent transfer claim under state and/or federal law and any supplemental evidence showing that all of the elements of a fraudulent transfer claim has been met by 3/13/18. No appearances are required on 2/13/18.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

11:00 AM

CONT... Kyong Don Chu

Chapter 7

Debtor(s):

Kyong Don Chu

Represented By
M Teri Lim

Defendant(s):

Kyong Don Chu

Pro Se

Plaintiff(s):

Nextwave Enterprises LLC

Represented By
Ronald P Slates
Jesse Yanco

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

11:00 AM

2:16-26739 Kyong Don Chu

Chapter 7

Adv#: 2:17-01223 Nextwave Enterprises LLC v. Chu

#15.00 Cont'd status conference re: Complaint for nondischageability for: 1) Debts incurred through false pretenses, false representation or actual fraud under 11 U.S.C. §523(a)(2) (A); 2) Debts incurred through willful and malicious injury to property under 11 U.S.C. § 523(a)(6)
fr. 2/13/18, 4/3/18, 7/12/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/20/18. No tentative ruling on the merits.
Appearances are required on 8/21/18.

Prior tentative ruling as of 4/2/18. See tentative ruling for matter number 4.

Prior tentative ruling as of 2/12/18. Off calendar. The court on its own motion is continuing the hearing and status conference to 4/3/18 at 1:30 p.m. for plaintiff to file supplemental briefing to demonstrate that the elements of a claim for fraudulent transfer either under state and/or federal law has been met setting forth the factual basis for the court to grant the motion for default judgment on its claims under 11 U.S.C. 523(a)(2)(A) and (a)(6). Plaintiff must file its supplemental brief citing the elements of a fraudulent transfer claim under state and/or federal law and any supplemental evidence showing that all of the elements of a fraudulent transfer claim has been met by 3/13/18. No appearances are required on 2/13/18.

Prior tentative ruling as of 12/18/17. No tentative ruling on the merits.
Appearances are required on 12/19/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits.
Appearances are required on 11/28/17, but counsel may appear by telephone.

Updated tentative ruling as of 9/11/17. The court has reviewed plaintiff's

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

11:00 AM

CONT... Kyong Don Chu

Chapter 7

unilateral status report, again stating that default has been entered against defendant and that plaintiff is preparing a motion for default judgment. Appearances are required on 9/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/5/17. The court has reviewed plaintiff's unilateral status report, stating that default has been entered against defendant and that plaintiff is preparing a motion for default judgment. The court on its own motion continues the status conference to 9/12/17 at 1:30 p.m. No appearances are required on 6/6/17.

Party Information

Debtor(s):

Kyong Don Chu

Represented By
M Teri Lim

Defendant(s):

Kyong Don Chu

Pro Se

Plaintiff(s):

Nextwave Enterprises LLC

Represented By
Ronald P Slates
Jesse Yanco

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#16.00 Cont'd hearing re: Motion of Navigators Specialty Insurance Company for allowance and payment of administrative expense claim fr. 6/26/18

Docket 1209

***** VACATED *** REASON: Cont'd from 8/21/18 to 10/2/18 at 1:30 p.m.
per stip & order entered on 8/20/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/20/18. At the first hearing on the motion on 6/26/18, the parties indicated that they did not have an interest in litigating this contested matter to an evidentiary hearing and were going to attempt to negotiate a consensual resolution with the filing of a stipulation by the hearing on 8/21/18. No stipulation has been filed, which perhaps indicates a lack of consensus. At this point, the court is inclined to deny the motion without prejudice on grounds the motion is premature as argued by objecting party, Morrison and Foerster, because the trustee has not concluded his administration of the case and this would be consistent with Judge Saltzman's prior 2016 order denying preconversion fee applications without prejudice (Docket Number 568). In reaching this conclusion, the court has considered case law regarding whether to allow immediate payment of administrative expense claims ahead of distribution after the Chapter 7 trustee's final report, In re Tandem Group., Inc., 61 B.R. 738, 742 (Bankr. C.D. Cal. 1986) (postponing determination of preconversion administrative expense claim until Chapter 7 trustee informs the court that sufficient funds exist in the estate to pay Chapter 7 administrative expenses and preconversion Chapter 11 administrative expenses); In re Cardinal Industries, Inc., 109 B.R. 738, 742 (Bankr. S.D. Ohio 1989) (considering the status of the case, the likelihood that all administrative expense claims will be paid in full, and the ability of the claimant to repay any amount which later turns out to be in excess of payments to other administrative expense claimants in determining whether an immediate payment of administrative expense claims should be made). Other objecting parties argue that they are similarly situated to movant and are entitled to payment of administrative expense claims as well, and it seems it would be burdensome to the parties and the estate to litigate all of these claims now before the trustee's administration of the case is not completed

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

CONT... Fred Matthew Adelman

Chapter 7

and the trustee does not know at this time whether there are sufficient funds to pay Chapter 7 administrative expenses and preconversion administrative expense claims.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because there are material issues of fact for trial regarding whether movant has made a substantial contribution, which is disputed by other parties. The parties should meet and confer regarding their pretrial needs and a proposed pretrial and trial schedule. Appearances are required on 6/26/18 to discuss scheduling of pretrial and trial proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#17.00 Hearing re: Trustee's motion objecting to debtor's claimed exemption

Docket 1249

Tentative Ruling:

Grant trustee's motion objecting to debtor's claimed exemption for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 8/21/18, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01217 Gonzalez v. Brown et al

#18.00 Cont'd status conference re: Complaint for: (1) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §544(b)(1), 548(a)(1)(A), and 550, and California Civil Code §3439.04(a)(1); (2) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(I), and 550, and California Civil Code §3439.05; (3) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(II) and 550, and California Civil Code §3439.04(a)(2)(A); (4) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(III), and 550, and California Civil Code §3439.04(a)(2)(A); (5) Preservation of avoided transfer pursuant to 11 U.S.C. §551; (6) Disallowance of claim pursuant to 11 U.S.C. §502(d); and (7) Disallowance of claim pursuant to 11 U.S.C. §502(b)
fr. 3/27/18, 5/8/18, 7/10/18

Docket 1

***** VACATED *** REASON: Cont'd from 8/21/18 to 10/2/18 at 1:30 p.m.
per stip & order entered on 7/31/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/20/18. Off calendar. Continued by stipulation and order to 10/2/18 at 1:30 p.m. No appearances are required on 8/21/18.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint status report and notes that the parties have not had their LBR 7026-1 conference. The court is inclined to continue the status conference until the parties have completed their LBR 7026-1 conference and suggests that they conduct the business of LBR 7026-1 conference before the status conference to obviate the need for a continuance. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/11/17. Appearances are required on 9/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status reports filed by the various parties. No tentative ruling on the merits. Appearances are required on 5/30/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

CONT... Wladimir John Klimenko

Chapter 7

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
Stephen S Smyth
William J Smyth

Defendant(s):

Robert Anthony Brown

Pro Se

Law Office of Robert Brown

Pro Se

Acquplied Assets, B.T.

Pro Se

Wladimir John Klimenko

Pro Se

Wladimir J. Klimenko Living Trust

Pro Se

Jeffrey Alan Abraham

Pro Se

JMS Financial, Inc

Pro Se

Deanna Shapiro

Pro Se

BANK OF THE WEST

Pro Se

Plaintiff(s):

Rosendo Gonzalez

Represented By
Sherri S Shafizadeh
Thomas A Fasel

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

2:17-17972 Sion Javaheri

Chapter 7

Adv#: 2:18-01105 Krasnoff, Chapter 7 Trustee v. Javaheri et al

#19.00 Cont'd status conference re: Trustee's complaint: (1) to avoid and recover voidable transfer; and (2) for turnover fr. 6/19/18, 7/17/18

Docket 1

Tentative Ruling:

Set a discovery cutoff date of 2/28/19 and a post-discovery status conference on 3/26/19 at 1:30 p.m. with a joint status report due on 3/19/19. Order the matter to mediation, and the parties to file a selection of mediator and alternate mediator by 9/30/18 and complete mediation by 3/26/19. Appearances are required on 8/21/18, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of the status conference.

Party Information

Debtor(s):

Sion Javaheri

Represented By
Edmond Nassirzadeh

Defendant(s):

Jilla Javaheri

Pro Se

Jilla Javaheri, Trustee of the Jilla H.

Pro Se

Plaintiff(s):

Brad D. Krasnoff, Chapter 7 Trustee

Represented By
Sonia Singh

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel
Sonia Singh

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01008 Grand View Financial, LLC v. Wilmington Savings Fund Society, FSB et al

#20.00 Cont'd status conference re: Complaint for: (1) declaratory relief regarding alleged standing of certain defendants under note and deed of trust, purported foreclosure sale, purported trustees deed upon sale, and title to real property; (2) turnover of real property; (3) disallowance of any claims of defendants; (4) violation of fair debt collection practices act
fr. 3/20/18, 5/22/18, 7/10/18

Docket 1

***** VACATED *** REASON: Notice of dismissal filed on 6/21/18-mb.**

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status report requesting a continuance of the status conference for about 60 days. The court on its own motion continues the status conference to 5/22/18 at 1:30 p.m, and has entered an order so continuing the status conference. A joint status report is due on 5/15/18. Plaintiff is to give written notice of continuance to defendant or its counsel. No appearances are required on 3/20/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Wilmington Savings Fund Society,	Pro Se
Christiana Trust, a Division of	Pro Se
Entra Default Solutions, LLC	Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

CONT...

Grand View Financial LLC

Todd M Arnold

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

2:18-10170 Min Jeong Min

Chapter 7

Adv#: 2:18-01086 Kosma Tex v. Min

#21.00 Cont'd status conference re: Complaint objecting to dischargeability of debt and to determine debt to be nondischargeable under 11 U.S.C. §523(a)(2)(A) fr. 6/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/20/18. Off calendar. The court has reviewed the joint status report of the parties, which stated that the parties have not conducted their conference under Federal Rule of Bankruptcy Procedure 7026 and Local Bankruptcy Rule 7026-1. The court continues the status conference on its own motion to 9/11/18 at 1:30 p.m. and order that the parties have their Federal Rule of Bankruptcy Procedure 7026 and Local Bankruptcy Rule 7026-1 conference before the continued status conference on 9/11/18. The parties need not file an updated status report for the continued status conference. No appearances are required on 8/21/18.

Prior tentative ruling. Since default has been entered against defendant, defendant will have to file a motion to set aside default unless plaintiff is willing to stipulate to set aside the default and allow defendant's answer to be considered filed. The parties should be prepared to address the issue of whether the default should be set aside. The court is not inclined to set a litigation schedule until the issue of the setting aside the default is resolved. Appearances are required on 6/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Min Jeong Min

Represented By
Young K Chang

Defendant(s):

Min Jeong Min

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

CONT... Min Jeong Min

Chapter 7

Plaintiff(s):

Kosma Tex

Represented By
Vahe Khojayan

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:18-01209 Voong v. Trinh

#22.00 Status conference re: Adversary complaint for declaratory relief

Docket 1

Tentative Ruling:

No tentative ruling as of 8/20/18. The court intends to advance the related matters on the court's 2:30 p.m. calendar to be heard with the status conference. However, the status conference will be conducted at the end of the 1:30 p.m. for matters in other cases to be called first. Appearances are required on 8/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

Defendant(s):

Catherine Trinh

Pro Se

Plaintiff(s):

Kevin Voong

Represented By
Dawn M Coulson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

2:18-15022 Diana Christina Peraza

Chapter 7

Adv#: 2:18-01208 Avery v. Hernandez et al

#23.00 Status conference re: Complaint for: (1) avoidance of voidable transfer; (2) recovery of avoided transfer; and (3) turnover of property)
[11 U.S.C. §§ 542, 544, 548 and 550]

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status report, suggesting that the status conference be continued to 8/28/18 at 2:30 p.m., the date and time of the hearing on plaintiff's motion for default judgment. The court continues on its own motion the status conference to 8/28/18 at 2:30 p.m. No appearances are required on 8/21/18.

Party Information

Debtor(s):

Diana Christina Peraza	Pro Se
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Defendant(s):

Luis Hernandez	Pro Se
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Diana Christina Peraza	Pro Se
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Plaintiff(s):

Wesley H. Avery	Represented By Carmela Pagay
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Trustee(s):

Wesley H Avery (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

2:18-18295 Judith M Irwin Trust

Chapter 7

#24.00 Status conference re: Involuntary petition

Docket 1

Tentative Ruling:

No tentative ruling as of 8/20/18. Appearances are required on 8/21/18.

Party Information

Debtor(s):

Judith M Irwin Trust

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#24.10 Cont'd hearing re: Emma Borges' motion for order pursuant to Federal Rules of Bankruptcy Procedure 2004 and 9016; for an examination of debtors person most knowledgeable; and for production of documents fr. 8/7/18

Docket 143

Tentative Ruling:

Updated tentative ruling as of 8/20/18. Appearances are required on 8/21/18 to discuss scheduling of FRBP 2004 examination, but counsel may appear by telephone.

Prior tentative ruling. Grant movant's motion for FRBP 2004 examination of debtor for the reasons stated in the moving papers. Overrule debtor's objections to the motion because the parties had a prefiling conference on 6/15/18 with no follow-up by debtor's counsel within one week as agreed, the examination cannot proceed under FRBP 7030 or 9014 since the alleged contested matter of movant's stay relief is no longer a contested matter since the court granted the stay relief motion, the argument of lack of service on debtor lacks merit as unreasonably formalistic since debtor as a limited liability company must be represented by counsel and its counsel was served and was actively negotiating with movant regarding the motion, the objection based on the attorney client privilege can be raised on a document by document and question by question basis at the examination, or submission of a privilege log at the examination, and the objection to request for production number 5 can be raised either by a motion for a protective order which has not been filed or interposed at the examination, subject to a motion to compel, and cause is shown for movant to examine debtor about possible bad faith insurance claims of Debtor and possible attorney malpractice claims of Debtor. Appearances are required on 8/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

1:30 PM

CONT...

Advance Specialty Care, LLC

Raymond H. Aver

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:10-15066 Bander Law Firm, LLP

Chapter 7

#25.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Davd A. Gill, Prior Chapter 7 Trustee]

Docket 122

Tentative Ruling:

The court has previously approved the original trustee's final report and final fee application by the prior order approving the trustee's original final report and fee applications entered on 8/20/14, but is inclined to approve the successor trustee's amended final report which adjusts the fees approved for the original trustee for the reasons stated in the amended final report and final fee applications of professionals and for lack of timely written objection. Appearances are required on 8/21/18 to explain the adjustment of fees and possible disgorgement, but counsel may appear by telephone.

Party Information

Debtor(s):

Bander Law Firm, LLP

Represented By
Timothy F Umbreit
Zev Shechtman

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:10-15066 Bander Law Firm, LLP

Chapter 7

#26.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Richard K. Diamond, Chapter 7 Trustee]

Docket 157

Tentative Ruling:

Although the court has previously approved the original trustee's final report and final fee application by the prior order approving the trustee's original final report and final fee applications of professionals entered on 8/20/14, but is inclined to approve the successor trustee's amended final report and his final fee application for the reasons stated in the amended final report and final fee applications of professionals and for lack of timely written objection. Appearances are required on 8/21/18 to explain the amended final report, but counsel may appear by telephone.

Party Information

Debtor(s):

Bander Law Firm, LLP

Represented By
Timothy F Umbreit
Zev Shechtman

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:10-15066 Bander Law Firm, LLP

Chapter 7

#27.00 Hearing re: Application for fees and expenses
[Danning Gill Diamond & Kollitz LLP, Attorney for Chapter 7 Trustee]

Docket 120

Tentative Ruling:

The court has previously approved the final fee application of attorneys for the trustee by the prior order approving the trustee's original final report and fee applications entered on 8/20/14, but is inclined to approve the trustee's amended final report which adjusts the fees approved for these applicants for the reasons stated in the amended final report and final fee applications of professionals and for lack of timely written objection. Appearances are required on 8/21/18 to explain the adjustment of fees and possible disgorgement, but counsel may appear by telephone.

Party Information

Debtor(s):

Bander Law Firm, LLP

Represented By
Timothy F Umbreit
Zev Shechtman

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:10-15066 Bander Law Firm, LLP

Chapter 7

#28.00 Hearing re: Application for fees and expenses
[Kenneth B. Roelke & Associates, Other Professional]

Docket 114

Tentative Ruling:

The court has previously approved the final fee application of trustee's field representative/adjuster by the prior order approving the trustee's original final report and fee applications entered on 8/20/14, but is inclined to approve the trustee's amended final report which adjusts the fees approved for this applicant for the reasons stated in the amended final report and final fee applications of professionals and for lack of timely written objection. Appearances are required on 8/21/18 to explain the adjustment of fees and possible disgorgement, but counsel may appear by telephone.

Party Information

Debtor(s):

Bander Law Firm, LLP

Represented By
Timothy F Umbreit
Zev Shechtman

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:10-15066 Bander Law Firm, LLP

Chapter 7

#29.00 Hearing re: Application for fees and expenses
[Crowe Horwath LLP, Accountants for the Chapter 7 Trustee]

Docket 155

Tentative Ruling:

The court has previously approved the final fee application of accountants for the trustee by the prior order approving the trustee's original final report and fee applications entered on 8/20/14, but is inclined to approve the trustee's amended final report which adjusts the fees approved for these applicants for the reasons stated in the amended final report and final fee applications of professionals and for lack of timely written objection. Appearances are required on 8/21/18 to explain the adjustment of fees and possible disgorgement, but counsel may appear by telephone.

Party Information

Debtor(s):

Bander Law Firm, LLP

Represented By
Timothy F Umbreit
Zev Shechtman

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:12-35473 Amergence Technology Inc

Chapter 7

#30.00 Hearing re: Chapter 7 Trustee's motion for: (1) Approval of Compromises with (A) Yian Chen aka David Chen, (B) Doron Stephen aka Doron Israeli and DSI Computer Parts, Inc., (C) Shavonne Tran, and, (D) Business Legal Partners and Albert Lee; and, (2) Good Faith Settlement Determination Solely with Respect to the Trustee's Settlement with Business Legal Partners and Albert Lee

Docket 171

Tentative Ruling:

Grant trustee's motion to approve compromises for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 8/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Amergence Technology Inc

Represented By
Ron Bender
Mark H McGuire
Irwin M Wittlin

Trustee(s):

Jason M Rund (TR)

Represented By
Steven T Gubner
Corey R Weber
Michael W Davis

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:13-10763 Armen A Aharonian

Chapter 7

#31.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Peter J. Mastan, Chapter 7 Trustee]

Docket 105

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 8/21/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Armen A Aharonian

Represented By
Arshak Bartoumian - DISBARRED -

Trustee(s):

Peter J Mastan (TR)

Represented By
Jeremy Faith
Noreen A Madoyan
Jeremy Faith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:13-10763 Armen A Aharonian

Chapter 7

#32.00 Hearing re: Application for fees and expenses
[Margulies Faith, LLP, Attorney for Chapter 7 Trustee]

Docket 101

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 8/21/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Armen A Aharonian

Represented By
Arshak Bartoumian - DISBARRED -

Trustee(s):

Peter J Mastan (TR)

Represented By
Jeremy Faith
Noreen A Madoyan
Jeremy Faith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:13-10763 Armen A Aharonian

Chapter 7

#33.00 Hearing re: Application for fees and expenses
[LEA Accountancy, LLP, Accountant for Chapter 7 Trustee]

Docket 103

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 8/21/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Armen A Aharonian

Represented By
Arshak Bartoumian - DISBARRED -

Trustee(s):

Peter J Mastan (TR)

Represented By
Jeremy Faith
Noreen A Madoyan
Jeremy Faith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:14-24180 Ricardo Armenta and Maribel Armenta

Chapter 7

#34.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Elissa D. Miller, Chapter 7 Trustee]

Docket 42

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 8/21/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Ricardo Armenta

Represented By
Matthew D. Resnik

Joint Debtor(s):

Maribel Armenta

Represented By
Matthew D. Resnik

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:14-24180 Ricardo Armenta and Maribel Armenta

Chapter 7

#35.00 Hearing re: Application for fees and expenses
[Hahn Fife & Company, Accountant for Chapter 7 Trustee]

Docket 39

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 8/21/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Ricardo Armenta

Represented By
Matthew D. Resnik

Joint Debtor(s):

Maribel Armenta

Represented By
Matthew D. Resnik

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

#36.00 Hearing re: Second interim application of Buchalter, a professional corporation for allowance and payment of professional fees and reimbursement of expenses a special litigation counsel for Howard Ehrenberg, chapter 7 trustee

Docket 200

Tentative Ruling:

The court has attempted to review the interim fee application, but cannot complete its review because a number of the billing entries have been redacted on grounds of privilege. The court will not rule upon the fee application unless and until applicant submits an unredacted version of the fee application, which it may do so in camera. The court will continue the hearing for 6 weeks, 2 weeks for applicant to submit an unreacted version of the fee application and 4 weeks for the court to review, considering there are over 50 pages of billing entries. Applicant must submit the unredacted version of the billing entries by 9/4/18, and the hearing is continued on the court's own motion to 10/2/18 at 2:30 p.m. No appearances are required on 8/20/18.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:17-15730 Rosby Ruiz

Chapter 7

Adv#: 2:18-01111 Reynoza-Fonseca v. Ruiz

#37.00 Hearing re: Motion for order disqualifying counsel

Docket 10

Tentative Ruling:

Deny motion to disqualify counsel for debtor for the reasons stated in the opposition of debtor. Movant lacks standing to disqualification of counsel where she had no attorney-client relationship. *Kasza v. Browner*, 133 F.3d 1159, 1171 (9th Cir. 1998); *Sherman v. CLP Resources, Inc.*, 2015 WL 13542762 (C.D. Cal. 2015); *Great Lakes Construction, Inc. v. Burman*, 186 Cal.App.4th 1347, 1358 (2010). The court agrees with debtor that standing is not shown under the so-called minority view set forth in *Colyer v. Smith*, 50 F.Supp.2d 966 (C.D. Cal. 1999) were applicable, assuming arguendo that it is the law in California, which is doubtful since no California state court case has adopted it, because the alleged injury to the nonclient movant that is not concrete and particularized, but only conjectural or hypothetical at this time because there is no injury unless movant obtains a state court judgment in excess of the \$25,000 insurance policy limits, convinces a Chapter 7 trustee that debtor had a bad faith claim against the insurer, which has not been abandoned to the debtor, and movant alleges and proves a bad faith claim on behalf of debtor. Appearances are required on 8/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rosby Ruiz

Represented By
Freddie V Vega
David J Richardson

Defendant(s):

Rosby Ruiz

Represented By
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

CONT... Rossby Ruiz

Chapter 7

Plaintiff(s):

Ageda Reynoza-Fonseca

Represented By
Steven J Shapero

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#38.00 Cont'd hearing re: Motion of defendant JPMorgan Chase Bank, N.A. to dismiss first amended complaint fr. 7/10/18, 7/31/18

Docket 32

***** VACATED *** REASON: Cont'd from 8/21/18 to 9/25/18 at 2:30 p.m. per stip & order entered on 7/25/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/20/18. Off calendar. Continued by stipulation and order to 9/25/18 at 2:30 p.m. No appearances are required on 8/21/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Represented By
Matthew S Henderson

QUALITY LOAN SERVICE

Represented By
Merdaud Jafarnia

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:17-25789 Frank Richard Ferrer and Chelsey Lynn Ferrer

Chapter 7

#39.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Howard M. Ehrenberg, Chapter 7 Trustee]

Docket 20

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 8/21/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Frank Richard Ferrer

Represented By
Nancy Korompis

Joint Debtor(s):

Chelsey Lynn Ferrer

Represented By
Nancy Korompis

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:18-10673 Beverly S Dudley

Chapter 7

#40.00 Hearing re: Chapter 7 trustee's objection to debtor's homestead claim of exemption

Docket 46

***** VACATED *** REASON: Withdrawn per notice filed on 7/24/18-mb.**

Tentative Ruling:

Off calendar. Motion withdrawn. No appearances are required on 8/21/18.

Party Information

Debtor(s):

Beverly S Dudley

Represented By
Suzette Douglas

Trustee(s):

Sam S Leslie (TR)

Represented By
Alan W Forsley
Marc A Lieberman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:18-11475 Catherine Trinh

Chapter 11

#41.00 Hearing re: Motion by Second Generation, Inc., for an order: (1) permitting Second Generation to intervene in the pending adversary proceeding; and (2) granting Second Generation Standing to pursue estate claims in connection with the adversary proceeding

Docket 123

Tentative Ruling:

Sustain movant's evidentiary objections to the declaration of Veronica S. Darling on all grounds.

Grant movant's request to intervene under 11 U.S.C. 1109(b) and Federal Rule of Civil Procedure 24(a) because movant as creditor had an unconditional statutory right under 11 U.S.C. 1109(b) to intervene as a party in interest in this adversary proceeding. In re Caldor Corp., 303 F.3d 161 (2nd Cir. 2002); Matter of Marin Motor Oil, Inc., 689 F.2d 445 (3rd Cir. 1982); contra, Fuel Oil Supply and Terminaling v. Gulf Oil Corp., 762 F.2d 1283 (5th Cir. 1985); In re Megan-Racine Associates, 176 B.R. 687 (Bankr. N.D.N.Y. 1994). Although there is a circuit split of authority on the issue, the Ninth Circuit has not ruled on this issue. The broad construction of 11 U.S.C. 1109(b) in the Second and Third Circuit decisions is more persuasive than the narrow construction in the Fifth Circuit decision since there is no statutory language excluding adversary proceedings from the meaning of (bankruptcy) case in 11 U.S.C. 1109(b) and adversary proceedings are considered part of a bankruptcy case. Megan-Racine Associates is not good law since its holding is inconsistent with the holding of its circuit in Caldor.

Alternatively, movant has shown that intervention should be granted under Federal Rule of Civil Procedure 24(a)(2) in that its intervention motion is timely because the motion is made in the early stages of the adversary proceeding, as a creditor, movant has a significant protectable interest relating to the property or transaction which is the subject of the adversary proceeding since it has a claim to distributions from the bankruptcy estate which may be affected by the rulings on the property interests at issue in the adversary proceeding, the disposition of the adversary proceeding as a practical matter may impair or impede the movant's ability to protect its

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

CONT... Catherine Trinh

Chapter 11

interest because the scope of property of the bankruptcy estate may be limited by the rulings in the adversary proceeding and the existing parties may not adequately represent the movant's interest since the parties are married to each other and may have incentive to limit or restrict the availability of property to payment of debtor's creditors like movant. See *Prete v. Bradbury*, 438 F.3d 949 (9th Cir. 2006).

Movant's request for derivative standing should be granted because movant has colorable claims which would benefit the estate if successful because its claim may reduce any diminishment of property of the estate in the adversary proceeding, debtor in possession's inaction in defending the adversary proceeding by acquiescing in plaintiff's claims in the adversary proceeding does not appear to be justified in light of her fiduciary duties in this Chapter 11 bankruptcy case since she is married to plaintiff and would stand to benefit from limiting or restricting assets jointly available to her and her spouse to her creditors and it appears to be futile for movant as creditor of debtor to make a demand on her to take action to vigorously defend the adversary proceeding to define property as belonging to her spouse solely which she may have beneficial enjoyment as a family member without being made available to pay her creditors. In re Consolidated Nevada Corp., 2017 WL 6553394 (9th Cir. BAP 2017), citing, In re Yellowstone Mountain Club, LLC, 2009 WL 982207 (Bankr. D. Mont. 2009), citing, In re Gibson Group, Inc., 66 F.3d 1436, 1446 (6th Cir. 1995).

Appearances are required on 8/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:18-01209 Voong v. Trinh

- #42.00** Hearing re: Motion by Second Generation, Inc., for an order: (1) permitting Second Generation to intervene in the pending adversary proceeding; and (2) granting Second Generation Standing to pursue estate claims in connection with the adversary proceeding

Docket 9

Tentative Ruling:

Sustain movant's evidentiary objections to the declaration of Veronica S. Darling on all grounds.

Grant movant's request to intervene under 11 U.S.C. 1109(b) and Federal Rule of Civil Procedure 24(a) because movant as creditor had an unconditional statutory right under 11 U.S.C. 1109(b) to intervene as a party in interest in this adversary proceeding. In re Caldor Corp., 303 F.3d 161 (2nd Cir. 2002); Matter of Marin Motor Oil, Inc., 689 F.2d 445 (3rd Cir. 1982); contra, Fuel Oil Supply and Terminaling v. Gulf Oil Corp., 762 F.2d 1283 (5th Cir. 1985); In re Megan-Racine Associates, 176 B.R. 687 (Bankr. N.D.N.Y. 1994). Although there is a circuit split of authority on the issue, the Ninth Circuit has not ruled on this issue. The broad construction of 11 U.S.C. 1109(b) in the Second and Third Circuit decisions is more persuasive than the narrow construction in the Fifth Circuit decision since there is no statutory language excluding adversary proceedings from the meaning of (bankruptcy) case in 11 U.S.C. 1109(b) and adversary proceedings are considered part of a bankruptcy case. Megan-Racine Associates is not good law since its holding is inconsistent with the holding of its circuit in Caldor.

Alternatively, movant has shown that intervention should be granted under Federal Rule of Civil Procedure 24(a)(2) in that its intervention motion is timely because the motion is made in the early stages of the adversary proceeding, as a creditor, movant has a significant protectable interest relating to the property or transaction which is the subject of the adversary proceeding since it has a claim to distributions from the bankruptcy estate which may be affected by the rulings on the property interests at issue in the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

CONT...

Catherine Trinh

Chapter 11

adversary proceeding, the disposition of the adversary proceeding as a practical matter may impair or impede the movant's ability to protect its interest because the scope of property of the bankruptcy estate may be limited by the rulings in the adversary proceeding and the existing parties may not adequately represent the movant's interest since the parties are married to each other and may have incentive to limit or restrict the availability of property to payment of debtor's creditors like movant. See *Prete v. Bradbury*, 438 F.3d 949 (9th Cir. 2006).

Movant's request for derivative standing should be granted because movant has colorable claims which would benefit the estate if successful because its claim may reduce any diminishment of property of the estate in the adversary proceeding, debtor in possession's inaction in defending the adversary proceeding by acquiescing in plaintiff's claims in the adversary proceeding does not appear to be justified in light of her fiduciary duties in this Chapter 11 bankruptcy case since she is married to plaintiff and would stand to benefit from limiting or restricting assets jointly available to her and her spouse to her creditors and it appears to be futile for movant as creditor of debtor to make a demand on her to take action to vigorously defend the adversary proceeding to define property as belonging to her spouse solely which she may have beneficial enjoyment as a family member without being made available to pay her creditors. In *re Consolidated Nevada Corp.*, 2017 WL 6553394 (9th Cir. BAP 2017), citing, In *re Yellowstone Mountain Club, LLC*, 2009 WL 982207 (Bankr. D. Mont. 2009), citing, In *re Gibson Group, Inc.*, 66 F.3d 1436, 1446 (6th Cir. 1995).

Appearances are required on 8/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

Defendant(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

CONT... Catherine Trinh

Chapter 11

Plaintiff(s):

Kevin Voong

Represented By
Dawn M Coulson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:18-11475 Catherine Trinh

Chapter 11

#43.00 Cont'd hearing re: Motion for protective order regarding proposed Rule 2004 Examination of Kevin Voong fr. 8/7/18

Docket 104

Tentative Ruling:

Updated tentative ruling as of 8/20/18. If the motion is not mooted by the ruling on the creditor's motion to intervene, deny the witness's motion for protective order and grant creditor's motion for FRBP 2004 examination since the examination is within the scope of the rule because it relates to property of debtor and financial condition of debtor since debtor and the witness are married and the property transfers and assets in question may have involved community property which could be property of the estate. Appearances are required on 8/21/18.

Revised tentative ruling as of 8/7/18. Off calendar. Continued by stipulation and order to 8/21/18 at 2:30 p.m. No appearances are required on 8/7/18.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 21, 2018

Hearing Room 1675

2:30 PM

2:18-11475 Catherine Trinh

Chapter 11

#44.00 Cont'd hearing re: Second Generation, Inc's motion for examination of Kevin Voong pursuant to Fed. R. Bankr P 2004 and LBR 2004-1 fr. 8/7/18

Docket 100

Tentative Ruling:

Updated tentative ruling as of 8/20/18. If the motion is not mooted by the ruling on the creditor's motion to intervene, grant creditor's motion for FRBP 2004 examination and deny the witness's motion for protective order since the examination is within the scope of the rule because it relates to property of debtor and financial condition of debtor since debtor and the witness are married and the property transfers and assets in question may have involved community property which could be property of the estate. Appearances are required on 8/21/18.

Revised tentative ruling as of 8/7/18. Off calendar. Continued by stipulation and order to 8/21/18 at 2:30 p.m. No appearances are required on 8/7/18.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

2:12-15652 Dale Alfred Williams

Chapter 11

#1.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/28/18, 4/25/18, 5/29/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/20/18. Off calendar. The court continues the hearing on its own motion to 10/3/18 at 11:00 a.m. No appearances are required on 8/22/18.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 4/25/18 at 11:30 a.m. No appearances are required on 3/27/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 3/28/18 at 11:30 a.m. No appearances are required on 2/28/18.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

Prior tentative ruling as of 1/8/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 2/28/18 at 11:30 a.m. No appearances are required on 1/10/18.

Prior tentative ruling as of 9/11/17. Off calendar. In light of the pending motion of the United States Trustee to dismiss or convert now set for hearing on 10/25/17 at 11:30 a.m., the court on its own motion continues the status conference to 10/25/17 at 11:30 a.m. No appearances are required on 9/13/17.

Prior tentative ruling as of 4/3/17. Off calendar. In light of the pendency of the litigation proceedings involving debtor's objection to the tax claims, the court on its own motion continues the status conference to 9/13/17 at 11:00 a.m. No appearances are required on 4/5/17.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/15/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/16/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/9/15. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of litigation disputes of debtor's objection to the IRS claim and creditor Rory Williams's motion to file late-filed claim. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of debtor's objection to the IRS claim. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 8/25/14. Appearances are required on 8/27/14 to schedule a post-confirmation status conference, but counsel may appear by telephone.

Prior tentative ruling. The court continues on its own motion the status conference to 8/27/14 at 11:00 a.m. at which time the court will set a post-confirmation status conference in November 2014 since a post-confirmation status conference was not set at the confirmation hearing on 7/24/14. No appearances are required on 8/21/14

Party Information

Debtor(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

Movant(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

2:13-26021 L Scott Apparel Inc.

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. 3/21/18, 4/25/18, 5/29/18

Docket 140

Tentative Ruling:

Updated tentative ruling as of 8/20/18. The court is still deliberating on the adversary proceeding and contested matters involving Lowell Sherron and Beyond Basics. Otherwise, no tentative ruling on the merits. Appearances are required on 8/22/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/19/18. Off calendar. The court continues the status conference on its own motion to 4/25/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/25/18. No appearances are required on 3/21/18.

Prior tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Corrected tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Updated tentative ruling as of 1/23/17. Off calendar. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 10/17/16. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. In light of the current pending litigation, especially the Sharron adversary proceeding, it seems that a further status conference should be set in about 120 days. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 12/1/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

required on 12/2/15, but counsel may appear by telephone.

Prior tentative ruling as of 7/27/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 7/29/15 to discuss scheduling of further post-confirmation proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 3/9/15. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of claims as described in the status report. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/2/14. Appearances are required on 9/3/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 9/3/14 at 11:00 a.m. to allow the parties a limited opportunity to continue in plan modification negotiations. No appearances are required on 8/21/14.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

Movant(s):

L Scott Apparel Inc.

Represented By
David W Levene

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

Kurt Ramlo
Paul J Kurtzhall

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#3.00 CONT'D EVIDENTIARY HEARING RE: Motion for relief from stay
(U.S. Bank Trust N.A. VS Debtor)
fr. 1/4/18, 3/21/18, 4/25/18, 6/27/18

Docket 79

Tentative Ruling:

Updated tentative ruling as of 8/20/18. No tentative ruling on the merits.
Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/3/18. On movant's claim under 11 U.S.C. 362(d) (2), it has met its burden of proof under 11 U.S.C. 362(g)(1) to demonstrate lack of equity in the subject property based on the stipulated value for the property. Debtor as the party opposing relief has the burden on the remaining issue of demonstrating under 11 U.S.C. 362(g)(2) and (d)(2) that the property is necessary to its effective reorganization, i.e., a confirmed reorganization plan is in reasonable prospect. Specifically, debtor must produce some evidence that its plan could be confirmed by a reasonable bankruptcy judge. In re Bonner Mall Partnership, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). Debtor's projected income based on its principal's consulting income of \$12,500 per month is not supported by any credible evidence for this projection. The demonstrated history in this case does not support the projection, and there is no credible explanation of how the income can be generated at that level to demonstrate plan feasibility under 11 U.S.C. 1129(a)(11). Debtor has not shown that it is likely to have at least one impaired class of claims to accept its plan under 11 U.S.C. 1129(a)(10) since there is no credible evidence

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

CONT... SK Vision LLC

Chapter 11

indicating any creditor support for the plan (debtor's conclusory assertions are not evidence). Based on what has been submitted in the papers, the court is inclined to find that debtor has not met its burden of proof on the second prong of 11 U.S.C. 362(d)(2) that the property is necessary for its effective reorganization, i.e., that its plan could be confirmed by a reasonable bankruptcy judge and that the stay relief motion should be granted. Appearances are required on 1/4/18.

Prior tentative ruling as of 11/6/17. Appearances are required on 11/7/17, but counsel may appear by telephone.

No updated tentative ruling as of 10/24/17. Appearances are required on 10/24/17, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set schedule of pretrial and trial proceedings. Appearances are required on 9/26/17 to discuss the parties' respective pretrial needs, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#4.00 Cont'd hearing re: Disclosure statement
fr. 6/27/18

Docket 109

Tentative Ruling:

Updated tentative ruling as of 8/20/18. No tentative ruling on the merits.
Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

No tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/4/18, 3/21/18, 6/27/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/20/18. No tentative ruling on the merits.
Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/3/18. No tentative ruling on the merits.
Appearances are required on 1/4/18, but counsel may appear by telephone.

Updated tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits.
Appearances are required on 10/18/17, but counsel may appear by
telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but
counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

CONT... SK Vision LLC

Chapter 11

Prior tentative ruling as of 5/1/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/3/17, but counsel may appear by telephone.

No tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#6.00 Hearing re: Application of debtor and debtor in possession to employ Terzian Law Group, a professional corporation as bankruptcy counsel

Docket 121

Tentative Ruling:

Having considered the moving and opposing papers, the court is inclined to approve the employment application, provided that the record is clear that applicant adheres to the conditions set forth in *In re Lotus Properties LP*, 200 B.R. 388, 393 (Bankr. C.D. Cal. 1996), citing *In re Kelton*, 109 B.R. 641 (Bankr. D. Vt. 1989), setting forth the so-called "analytical" approach: (1) the arrangement must be fully disclosed to the debtor/client and the third party payor/insider; (2) the debtor must expressly consent to the arrangement; (3) the third party payor/insider must retain independent legal counsel and must understand that the attorney's duty of undivided loyalty is owed exclusively to the debtor/client; (4) the factual and legal relationship between the third party payor/insider, the debtor, the respective attorneys and their contractual arrangement concerning the fees must be fully disclosed to the court at the outset of the debtor's bankruptcy representation; and (5) the debtor's attorney/applicant must demonstrate and represent to the court's satisfaction the absence of facts which would otherwise create nondisinterestedness, actual conflict or impermissible potential for a conflict of interest. The court does not follow the so-called "restrictive" approach in *In re Hathaway Ranchy Partnership*, 116 B.R. 208 (Bankr. C.D. Cal. 1990), setting forth a per se disqualification of counsel for debtor whose fees and costs are paid by a principal or insider because California law is not so restrictive as set forth in California Rule of Professional Responsibility 3-310(F)(3) recognizing an exception to the general rule that a lawyer may not accept compensation for representing a client other than the client unless the lawyer obtains the client's informed written consent and it appears that it is not unusual for an insider to pay for fees to employ counsel or other professionals in a debtor's bankruptcy case and that most courts permit the practice based on the criteria set forth in *In re Lotus Properties LP*. 1 March, Ahart and Shapiro, *Rutter Group California Practice Guide: Bankruptcy*, paragraph 4:284 at 4-26

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

CONT... **Kody Branch of California, Inc.**

Chapter 11

(2017), citing In re Lotus Properties, LP, supra, In re EZ Links Golf, LLC, 317 B.R. 858 (Bankr. D. Colo. 2004) and Matter of American International Refinery, Inc., 676 F.3d 455, 462 (5th Cir. 2012)(applying a similar test to evaluate the effect of a retainer paid to debtor's counsel by creditor of debtor); see also, Federal Rule of Bankruptcy Procedure 2014; In re 7677 East Berry Ave. Associates, LP, 419 B.R. 833, 844 (Bankr. D. Colo. 2009). The court believes that the application will need to be supplemented that makes all the disclosures required by Rule 2014 and In re Lotus Properties LP are made and that the conditions of Lotus Properties are met, including the requirement of independent counsel for the third party payor, Mr. Trinh, to demonstrate his understanding that applicant's duty of loyalty is only to debtor. Neither the employment application nor the attached retainer agreement discloses the agreement of the insider to pay the legal fees for applicant's services set forth in applicant's reply to the court, and none of these documents set forth the client/debtor's informed consent to this insider payment agreement and the express understanding of the third party payor/insider, Mr. Trinh, that applicant has an undivided duty of loyalty to the client/debtor. It is not enough that these disclosures are found in applicant's reply. In re Park-Helena Corp., 63 F.3d 877 (9th Cir. 1995)(failure of counsel to disclose source of retainer from insider was violation of Federal Rule of Bankruptcy Procedure 2016 and grounds for disallowance of compensation); Local Bankruptcy Rule 9013-1(g) (4)(new arguments or matters should not be raised for the first time in a reply). Appearances are required on 8/22/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz
Tamar Terzian

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

2:18-17263 8800 LLC

Chapter 11

#7.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/22/18, but counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

2:18-17424 San Pedro Waterfront LLC dba Ports O'Call Res

Chapter 11

#8.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/22/18, but counsel may appear by telephone.

Party Information

Debtor(s):

San Pedro Waterfront LLC dba Ports

Represented By
David R Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:00 AM

2:18-17609 Samuel Young Oh

Chapter 11

#9.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/22/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Samuel Young Oh

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:30 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#10.00 Cont'd hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon
fr. 7/18/18

Docket 255

Tentative Ruling:

Revised tentative ruling as of 8/21/18. Off calendar. Motion withdrawn by notice filed on 8/21/18. No appearances are required on 8/22/18.

No tentative ruling as of 7/16/18. Appearances are required on 7/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:30 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#11.00 Cont'd hearing re: Motion for relief from stay
(US Bank National Association VS Debtor)
fr. 6/5/18, 6/19/18

Docket 30

Tentative Ruling:

Updated tentative ruling as of 8/20/18. The court has reviewed the supplemental pleading filed by movant with the state court's order in debtor's quiet title action, sustaining the demurrers, but with leave to amend. The court is inclined to continue the hearing on the stay relief motion with consent of movant or deny the motion without prejudice, pending the state court's sua sponte motion to dismiss the quiet title action set for hearing on 10/3/18 at 9:30 a.m. The hearing on the stay relief motion will be continued to after the state court hearing on the motion to dismiss with movant's consent or denied without prejudice. Alternatively, the court can set an evidentiary hearing on this contested matter regarding movant's stay relief claims. Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because there are disputed material issues of fact regarding whether cause is shown for lack of adequate protection and lack of good faith since movant has not met its burden of proof regarding debtor has insufficient equity in the subject property under 11 U.S.C. 362(g)(1) because its valuation evidence regarding equity is inadmissible and the circumstances indicating that debtor was the victim of fraudulent conduct and is pursuing legal action to vindicate its rights to reorganize and pay creditors. Although the court may not be able to take judicial notice of the declaration of the appraiser filed in the state court case, the court will accord sufficient time for debtor to obtain and filed a declaration regarding valuation in this case, and likewise, for movant as well. The court will also afford the parties an opportunity to present evidence on good faith, which will necessarily entail debtor's prospects for successfully reorganizing and obtaining plan confirmation in this case. See *In re Bonner Mall Partnership*, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). The case of *In re Walter*,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:30 AM

CONT... Raesi Group, Inc Chapter 11

108 B.R. 244 (Bankr. C.D. Cal. 1989) does not necessarily dictate a finding of bad faith just because debtor filed for bankruptcy after failing to obtain a preliminary injunction to enjoin a foreclosure unless debtor cannot show that it can successfully reorganize and demonstrate reasonable prospects that a plan can be confirmed as recognized by the Bonner Mall decision. Appearances are required on 6/18/18 to discuss scheduling of pretrial and trial proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

Movant(s):

U.S. Bank National Association as

Represented By
William D Coffee

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

11:30 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#12.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/25/15, 6/27/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 8/20/18. Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. The claims bar date should be at least 60 days from the date of notice of bar date to creditors, so 6/1/18 is not appropriate. Otherwise, no tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

1:30 PM

2:18-10692 Morningside, LLC

Chapter 11

#13.00 Hearing re: Motion for order approving sale of real property pursuant to 11 U.S.C. §363

Docket 52

Tentative Ruling:

Revised tentative ruling as of 8/20/18. No tentative ruling on the merits. Although debtor represents that 11 U.S.C. 363(f) is met through consent of all of the affected lienholders under 11 U.S.C. 363(f)(2), no proof of consent has been submitted. The court will not imply consent here based on lack of written response, given that the hearing on the motion is on shortened notice and the sizable reduction of \$250,000 of one lienholder without corroborative evidence of consent being offered by debtor (the sale as proposed would be a \$250,000 stripoff of this junior lien). Debtor will have to offer written consent of the affected lienholders for the court to find that consent is met under 11 U.S.C. 363(f)(2) as represented in the moving papers, and the court would continue the hearing for debtor to obtain proof of consent if needed. As to the request of the United States Trustee to examine the prospective buyers and the real estate agents, it would expedite the hearing if these parties were present for examination at the hearing. No tentative ruling as to the prospective buyers' breakup fee since they already put money into the purchase with debtor's apparent encouragement without court authorization or notice to creditors. While the prospective buyers may have been acting in good faith negotiating their purchase with debtor, debtor was apparently bypassing the procedural protections of the Bankruptcy Code in negotiating the sale and seeking dismissal to consummate the sales transaction, which is problematic. Appearances are required on 8/22/18.

Prior tentative ruling. No tentative ruling will be issued on the motion heard on shortened notice. Debtor must address opposition of United States Trustee that the sale is not a good faith, arms length transaction. Appearances are required on 8/22/18.

Party Information

Debtor(s):

Morningside, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 22, 2018

Hearing Room 1675

1:30 PM

CONT...

Morningside, LLC

Moises S Bardavid

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:17-25663 Shana Lynn Yao

Chapter 7

#1.00 Cont'd reaffirmation hearing re: Debtor and VW Credit Inc
fr. 5-29-18

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shana Lynn Yao

Pro Se

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-12183 Larry Paul Lewis

Chapter 7

#2.00 Reaffirmation hearing re: Debtor and Ten Minute Title Loans Holdings, LLC

Docket 22

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Larry Paul Lewis

Pro Se

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-13464 Daniel Martin Nevares and Elvira Nevares

Chapter 7

#3.00 Reaffirmation hearing re: Debtor and ACAR Leasing Ltd. d/b/a GM Financial Leasing

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Daniel Martin Nevares

Represented By
Carlos A Delgado Ibarcena

Joint Debtor(s):

Elvira Nevares

Represented By
Carlos A Delgado Ibarcena

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-13726 Melissa Jean Holladay

Chapter 7

#4.00 Reaffirmation hearing re: Debtor and Ford Motor Credit Company LLC
(2017 Ford F250)

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Melissa Jean Holladay

Represented By
David H Chung

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-13743 Irina Glyzina

Chapter 7

#5.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

Docket 18

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Irina Glyzina

Represented By
Michael O Akhidenor

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-13781 Anthony R. Lopez

Chapter 7

#6.00 Reaffirmation hearing re: Debtor and Wells Fargo Dealer Services

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Anthony R. Lopez

Represented By
James D. Hornbuckle

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-14128 Thelma Bethune

Chapter 7

#7.00 Reaffirmation hearing re: Debtor and OneMain Financial

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Thelma Bethune

Pro Se

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-14199 Liann Torrentos

Chapter 7

#8.00 Reaffirmation hearing re: Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Liann Torrentos

Represented By
Elena Steers

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-14215 Sonia L. Hernandez

Chapter 7

#9.00 Reaffirmation hearing re: Debtor and Wells Fargo Dealer Services

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sonia L. Hernandez

Represented By
Elena Steers

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-14246 Jose Orlando Padilla

Chapter 7

#10.00 Reaffirmation hearing re: Debtor and Wells Fargo Dealer Services

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Orlando Padilla

Represented By
Lauren M Foley

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-14404 Nannette G. Woods

Chapter 7

#11.00 Reaffirmation hearing re: Debtor and Hyundai Motor Finance

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nannette G. Woods

Represented By
James D. Hornbuckle

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-14493 Julio Guerrero

Chapter 7

#12.00 Reaffirmation hearing re: Debtor and LBS Financial Credit Union

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Julio Guerrero

Represented By
Carlos A Delgado Ibarcena

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-14545 Rex Agumo Pastores and Gabriela Espina Pastores

Chapter 7

#13.00 Reaffirmation hearing re: Debtor and TD auto Finance LLC
(2017 Mitsubishi Outlander)

Docket 18

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rex Agumo Pastores

Represented By
Joy M Johnson

Joint Debtor(s):

Gabriela Espina Pastores

Represented By
Joy M Johnson

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-14904 Tasha Ruth Daughtrey

Chapter 7

#14.00 Reaffirmation hearing re: Debtor and Americredit Financial Services, Inc.
dba GM Financial

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tasha Ruth Daughtrey

Represented By
Raymond J Bulaon

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-14967 Mercedes Plascencia-Perez

Chapter 7

#15.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mercedes Plascencia-Perez

Represented By
Omar Zambrano

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-15082 Marta O Rodriguez

Chapter 7

#16.00 Reaffirmation hearing re: Debtor and Nissan Motor Acceptance Corporation

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Marta O Rodriguez

Pro Se

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-15208 Marcos Tito Gomez

Chapter 7

#17.00 Reaffirmation hearing re: Debtor and JPMORGAN CHASE BANK, N.A.

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Marcos Tito Gomez

Represented By
Lauren M Foley

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-15249 Maria G Bocanegra

Chapter 7

#18.00 Reaffirmation hearing re: Debtor and JPMORGAN CHASE BANK, N.A.

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria G Bocanegra

Pro Se

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-15260 Enrique C Puentes Flores

Chapter 7

#19.00 Reaffirmation hearing re: Debtor and Don Roberto Jewelers Inc

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Enrique C Puentes Flores

Represented By
Lauren M Foley

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-15342 Claudia Judith Mendoza

Chapter 7

#20.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Claudia Judith Mendoza

Pro Se

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-15395 Michael Paul Cazian

Chapter 7

#21.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

2012 TOYOTA HIGHLANDE, VIN: 5TDZK3EH6CS055300

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Paul Cazian

Represented By
Henrik Mosesi

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-15395 Michael Paul Cazian

Chapter 7

#22.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

2013 TOYOTA COROLLA, VIN: 5YFBU4EE1DP223099

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Paul Cazian

Represented By
Henrik Mosesi

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-15427 Francisco R. Gomez and Claudia E. Gomez

Chapter 7

#23.00 Reaffirmation hearing re: Debtor and CarMax Auto Finance

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Francisco R. Gomez

Represented By
Mark La Rosa

Joint Debtor(s):

Claudia E. Gomez

Represented By
Mark La Rosa

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-15474 Rafael H. Conchucos and Diana Conchucos

Chapter 7

#24.00 Reaffirmation hearing re: Debtor and Ford Motor Credit Company LLC
(2017 Ford Mustang)

Docket 18

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rafael H. Conchucos

Represented By
Shirlee L Bliss

Joint Debtor(s):

Diana Conchucos

Represented By
Shirlee L Bliss

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-15485 Jose Miguel Ochoa

Chapter 7

#25.00 Reaffirmation hearing re: Debtor and Nissan-Infiniti LT

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Miguel Ochoa

Pro Se

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-15691 Leslie Johanna Turcios

Chapter 7

#26.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Leslie Johanna Turcios

Represented By
Yelena Gurevich

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-15897 Patricia Guzman

Chapter 7

#27.00 Reaffirmation hearing re: Debtor and Golden 1 Credit Union

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Patricia Guzman

Represented By
Michael H Colmenares

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-15975 Jeovanna A Diaz Sosa

Chapter 7

#28.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jeovanna A Diaz Sosa

Represented By
Benard C Udeozor

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-16035 Misty Star Rees

Chapter 7

#29.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Misty Star Rees

Represented By
Linda Rose Fessler

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-16088 Vicente Fernandez Uriotegui

Chapter 7

#30.00 Reaffirmation hearing re: Debtor and Kia Motors Finance

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Vicente Fernandez Uriotegui

Represented By
Omar Zambrano

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-16223 Cristina Alvarado

Chapter 7

#31.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cristina Alvarado

Represented By
Raymond J Bulaon

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-16281 Tatiana Margarita Escalante Ulloa

Chapter 7

#32.00 Reaffirmation hearing re: Debtor and Golden 1 Credit Union

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tatiana Margarita Escalante Ulloa

Represented By
Omar Zambrano

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-16342 Demarla Jatawn Collins-Emery

Chapter 7

#33.00 Reaffirmation hearing re: Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Demarla Jatawn Collins-Emery

Represented By
Michael E Clark

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-16557 Claudia Marisol Campos

Chapter 7

#34.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Claudia Marisol Campos

Represented By
Daniel King

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-16635 Lisa Trefero

Chapter 7

#35.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lisa Trefero

Pro Se

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-16807 Gregory Louis Kopelow

Chapter 7

#36.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gregory Louis Kopelow

Represented By
David A Tilem

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-16813 Veronica A Bryant

Chapter 7

#37.00 Reaffirmation hearing re: Debtor and Kia Motors Finance

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Veronica A Bryant

Pro Se

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-16846 Alma Lainez

Chapter 7

#38.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alma Lainez

Represented By
Jennifer Ann Aragon

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-16873 Silvia Torres

Chapter 7

#39.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

Docket 7

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Silvia Torres

Pro Se

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-16914 Francisco Gonzalez Zamora

Chapter 7

#40.00 Reaffirmation hearing re: Debtor and Wells Fargo Bank NA

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Francisco Gonzalez Zamora

Represented By
Marlin Branstetter

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-17024 Rickey Payne

Chapter 7

#41.00 Reaffirmation hearing re: Debtor and Kia Motors Finance

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rickey Payne

Represented By
Jennifer Ann Aragon

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-17342 Luis Alberto Hernandez Garcia and Aura Marina Cruz

Chapter 7

#42.00 Reaffirmation hearing re: Debtor and U.S. Bank National Association

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luis Alberto Hernandez Garcia

Represented By
Sevag Nigoghosian

Joint Debtor(s):

Aura Marina Cruz

Represented By
Sevag Nigoghosian

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-17389 Carlos Enrique Banegas and Berta Alicia Banegas

Chapter 7

#43.00 Reaffirmation hearing re: Debtor and Toyota Motor Credit Corporation

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carlos Enrique Banegas	Pro Se
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Joint Debtor(s):

Berta Alicia Banegas	Pro Se
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Trustee(s):

Peter J Mastan (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-17395 Jaime Alberto Castellon

Chapter 7

#44.00 Reaffirmation hearing re: Debtor and and Toyota Motor Credit Corporation

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jaime Alberto Castellon

Represented By
Sevag Nigoghosian

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-17511 Juan Manuel Gutierrez Garibo

Chapter 7

#45.00 Reaffirmation hearing re: Debtor and Mechanics Bank

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juan Manuel Gutierrez Garibo

Represented By
Carlos A Delgado Ibarcena

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-17682 Chaunteau L Anderson

Chapter 7

#46.00 Reaffirmation hearing re: Debtor and Kia Motors Finance

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chaunteau L Anderson

Pro Se

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

9:30 AM

2:18-17838 Adrian Burga

Chapter 7

#47.00 Reaffirmation hearing re: Debtor and Logix Fed Credit Union

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Adrian Burga

Pro Se

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

11:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#48.00 EVIDENTIARY HEARING RE: Motion of Second Generation, Inc. for order converting the case to chapter 7 or, in the alternative, directing the appointment of a chapter 11 trustee
fr. 6/19/18

Docket 105

***** VACATED *** REASON: Cont'd from 8/23/18 & 8/24/18 to 9/27/18 & 9/28/18 at 9:00 a.m. per stip & order entered on 8/16/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/16/18. Off calendar. Continued by stipulation and order to 9/27/18 and 9/28/18 at 9:00 a.m. No appearances are required on 8/23/18 and 8/24/18.

Prior tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, August 23, 2018

Hearing Room 1675

11:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#49.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/18/18, 6/6/18, 6/19/18

Docket 1

***** VACATED *** REASON: Cont'd from 8/23/18 & 8/24/18 to 9/27/18 &
9/28/18 at 9:00 a.m. -mb.**

Tentative Ruling:

Updated tentative ruling as of 8/16/18. Off calendar. Continued by stipulation and order to 9/27/18 and 9/28/18 at 9:00 a.m. No appearances are required on 8/23/18 and 8/24/18.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Off calendar. The court on its own motion continues the status conference to be conducted with the hearing on the motion of creditor Second Generation, Inc., to convert the case to Chapter 7 on 6/19/18 at 2:30 p.m. No appearances are required on 6/6/18.

Prior tentative ruling as of 4/17/18. Off calendar. Status conference advanced to 4/18/18 at 11:00 a.m. by prior order. No appearances are required on 4/25/18.

Prior tentative ruling as of 1/12/18. Appearances are required on 1/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
David B Golubchik
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, August 24, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#1.00 CONT'D EVIDENTIARY HEARING RE: Motion of Second Generation, Inc. for order converting the case to chapter 7 or, in the alternative, directing the appointment of a chapter 11 trustee
fr. 6/19/18, 8/23/18

Docket 105

***** VACATED *** REASON: Cont'd from 8/23/18 & 8/24/18 to 9/27/18 & 9/28/18 at 9:00 a.m. per stip & order entered on 8/16/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/16/18. Off calendar. Continued by stipulation and order to 9/27/18 and 9/28/18 at 9:00 a.m. No appearances are required on 8/23/18 and 8/24/18.

Prior tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, August 24, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/18/18, 6/6/18, 6/19/18, 8/23/18

Docket 1

***** VACATED *** REASON: Cont'd from 8/23/18 & 8/24/18 to 9/27/18 &
9/28/18 at 9:00 a.m-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/16/18. Off calendar. Continued by stipulation and order to 9/27/18 and 9/28/18 at 9:00 a.m. No appearances are required on 8/23/18 and 8/24/18.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Off calendar. The court on its own motion continues the status conference to be conducted with the hearing on the motion of creditor Second Generation, Inc., to convert the case to Chapter 7 on 6/19/18 at 2:30 p.m. No appearances are required on 6/6/18.

Prior tentative ruling as of 4/17/18. Off calendar. Status conference advanced to 4/18/18 at 11:00 a.m. by prior order. No appearances are required on 4/25/18.

Prior tentative ruling as of 1/12/18. Appearances are required on 1/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
David B Golubchik
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, August 24, 2018

Hearing Room 1675

10:30 AM

2:18-19570 Rich Honey, Inc.

Chapter 11

#3.00 Hearing re: Motion to approve use of cash collateral and adequate protection

Docket 6

Tentative Ruling:

No tentative ruling will be issued for the motion heard on shortened notice.
Appearances are required on 8/24/18.

Party Information

Debtor(s):

Rich Honey, Inc.

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, August 24, 2018

Hearing Room 1675

10:30 AM

2:18-19570 Rich Honey, Inc.

Chapter 11

#4.00 Hearing re: Motion for order authorizing debtor-in-possession to: (1) pay pre-petition payroll, and (2) pay pre-petition, non-default payroll taxes

Docket 7

Tentative Ruling:

No tentative ruling will be issued for the motion heard on shortened notice.
Appearances are required on 8/24/18.

Party Information

Debtor(s):

Rich Honey, Inc.

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, August 27, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#1.00 Cont'd hearing re: Disclosure statement
fr. 6/27/18, 8/1/18, 8/8/18

Docket 174

Courtroom Deputy:

[Cont'd final pretrial conference on motion to disallow claims of Banc of California, N.A. set on 8/29/18 at 1:30 p.m.]

Tentative Ruling:

No updated tentative ruling as of 8/7/18. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. Off calendar. The court on its own motion continues the hearing to 8/8/18 at 11:00 a.m. No appearances are required on 8/1/18.

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court has reviewed debtor's status update and request to continue the status conference. No tentative ruling on the merits. Appearances are required on 3/7/18 to discuss scheduling and the the impact of treatment on creditor Cindy Magleby's claims for plan voting and abstention among other things, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, August 27, 2018

Hearing Room 1675

1:30 PM

CONT...

Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 2/5/18. The court notes that debtor filed a second amended disclosure statement on 1/30/18, 8 days before the further hearing on 2/7/18. Creditor Banc of California filed a response on 1/31/18 objecting to debtor's noticing approval of the amended disclosure statement for the hearing on 2/7/18, citing the court's oral ruling that creditors should be given 3 weeks notice of hearing on an amended disclosure statement. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, including adequate time for creditors to respond to debtor's second amended disclosure statement and a scheduling of a further hearing on debtor's second amended disclosure statement to allow for review and comment by creditors and interested parties, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. The court has reviewed debtor's status report. Appearances are required on 11/29/17 to discuss scheduling of further proceedings, including filing date for debtor's second amended disclosure statement, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. Debtor in his status report filed on 2/22/17 indicated that he and his counsel are working on revising and amending the original disclosure statement to include a revised and updated liquidation analysis and taking into account resolutions of claims of creditors, including First Republic Bank (however, the court notes that it disapproved without prejudice the stipulation resolving claim of First Republic Bank in light of objection of creditor Cindy Magelby since it appears that debtor will need to bring a FRBP 9019 motion). Appearances are required on 3/1/17 regarding scheduling of further proceedings for an amended and revised disclosure statement, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, August 27, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, August 27, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#2.00 Cont'd pretrial conference re: Renewed motion for order disallowing claims of Fried & Goldsman, APLC (claim no. 15) and Taylor and Liberman (claim no. 16)
fr. 7/31/18, 8/1/18, 8/8/18

Docket 394

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 8/7/18. Because the parties filed their joint pretrial statement late, the joint pretrial statement is voluminous and the parties in the related contested matter of Debtor's objection to the claim of Cindy Magleby, claimants' client, filed unilateral pretrial statements rather than a joint pretrial statement as required, the court intends to continue the pretrial conference for this matter to be coordinated with the pretrial conference for the contested matter of Debtor's objection to the claim of Cindy Magleby and to allow additional time for review of the joint pretrial statement. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, August 27, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, August 27, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#3.00 Cont'd pretrial conference re: Debtor's motion to disallow claims of Cindy S. Magleby
(claim numbers 13, 7, and 12)
fr. 7/31/18, 8/1/18, 8/8/18

Docket 390

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 8/7/18. The parties filed unilateral pretrial statements rather than a joint pretrial statement. Before the court imposes monetary sanctions of \$250 against the culpable party/ies for failing to file a joint pretrial statement as required by LBR 7016-1, the court will afford the parties an opportunity to complete and file a joint pretrial statement as required and intends to continue the pretrial conference for this purpose. Appearances are required on 8/8/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed the unilateral pretrial statements of the parties, which are incomplete and inadequate and will not be approved. The "statements" should be a joint pretrial stipulation, and they lack the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court notes that claimant has a pending motion for abstention on her claims set for hearing on 3/21/18. If the court abstains, this itself will not postpone plan confirmation proceedings because the parties may request the court to estimate the claims for voting on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, August 27, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

plan confirmation. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. If claimant believes that the court should permissively abstain from hearing this contested matter, then she should bring a proper motion for abstention rather than raising the request in her opposition to the objection. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). However, it seems to the court that it could properly hear the objection to claim as a core proceeding under 28 U.S.C. 157(b)(2)(B) and not abstain under *In re Conejo Enterprises, Inc.*, 96 F.3d 346 (9th Cir. 1996). Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, August 27, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#4.00 Cont'd hearing re: Debtor's motion to authorize listing for sale and establish procedures for selling estate real property located at 1447 10th Street, Manhattan Beach, CA 90266 fr. 8/8/18

Docket 496

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

While the court is inclined to grant the motion to authorize the listing of the property for sale, the court agrees with creditor Cindy Magleby that there should be an overbid procedure to sufficiently expose the property to the marketplace. The court is not persuaded by the arguments of Debtor or the broker to warrant dispensing with the overbidding. The court also agrees with the creditor's argument based on the express language of 11 U.S.C. 363(i) that the sale is subject to her "right of first refusal". Regarding the proposed conditions of sale requested by Debtor and the creditor, these matters will need to be thoroughly discussed and worked out before the court will authorize a listing and a sales process, given that Mrs. Magleby is a nondebtor, co-owner of the property, and that there may be outstanding family law court orders that may have an impact on the sales process (though these are not specifically identified in her papers). Appearances are required on 8/8/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, August 27, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#5.00 Cont'd hearing re: Application to employ Vista Sotheby's International Realty / Kristen Novoa as broker to market and sell estate real property located at 1447 10th Street, Manhattan Beach, CA 90266
fr. 8/8/18

Docket 495

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

The court is inclined to approve the employment application of the real estate broker for the reasons stated in the application. Appearances are required on 8/8/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, August 27, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

#6.00 Cont'd pretrial conference re: Complaint to recover property of the estate and for turnover of property of the estate pursuant to section 542(a) of the United States Bankruptcy Code, 11 U.S.C. §542(a)
fr. 7/31/18, 8/1/18, 8/8/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 8/7/18. The parties filed unilateral pretrial statements rather than a joint pretrial statement. Before the court imposes monetary sanctions of \$250 against the culpable party/ies for failing to file a joint pretrial statement as required by LBR 7016-1, the court will afford the parties an opportunity to complete and file a joint pretrial statement as required and intends to continue the pretrial conference for this purpose. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed defendant's unilateral pretrial statement, which is incomplete and inadequate and will not be approved. The "statement" should be a joint pretrial stipulation, and it lacks the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, August 27, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on
11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on
9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on
7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but
counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits.
Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits.
Appearances are required on 1/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits.
Appearances are required on 11/16/16, but counsel may appear by
telephone.

Prior tentative ruling. The court has reviewed the joint status report. No
tentative ruling on the merits. Appearances are required on 9/13/16, but
counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Cindy Magleby

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, August 27, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Plaintiff(s):

Curtis C. Magleby

Represented By
Alan F Broidy

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

10:30 AM

2:18-17165 Ki Y Jang

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Bayview Loan Servicing, LLC VS Debtor)

Docket 17

Tentative Ruling:

Because the bankruptcy case was dismissed on 8/23/18, the relief sought under 11 U.S.C. 362(d)(1) and (2) is moot. 11 U.S.C. 362(c)(1) and (2). Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. If request for relief from stay pursuant to 11 U.S.C. 362(d)(2) is not moot, deny for lack of admissible evidence regarding valuation of debtor's equity in subject real property because Redfin valuation has not been demonstrated to be based on scientifically accepted methodology of valuation (i.e., expert witness testimony by a qualified expert witness conducting a sales comparable analysis). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Ki Y Jang

Pro Se

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

10:30 AM

2:18-17169 Freddy Ramos Claro and Viviana Ramos Villeda

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Veros Credit, LLC VS Debtors)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Freddy Ramos Claro

Represented By
Carlos A Delgado Ibarcena

Joint Debtor(s):

Viviana Ramos Villeda

Represented By
Carlos A Delgado Ibarcena

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

10:30 AM

2:18-17520 Heliberto Galvez Vidrio

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Santander Consumer USA Inc. VS Debtor)

Docket 8

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Heliberto Galvez Vidrio

Represented By
Jasmine Firooz

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

10:30 AM

2:18-18504 Douglas Morales

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Wilmington Savings Fund Society VS Debtor)

Docket 8

Tentative Ruling:

Deny motion for stay relief as moot because the automatic stay terminated upon dismissal of the bankruptcy case on 8/13/18 pursuant to 11 U.S.C. 362(c)(1) and (2). Appearances are optional on 8/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Douglas Morales Pro Se

Trustee(s):

Edward M Wolkowitz (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

1:30 PM

2:16-17064 Maria Virginia Marti

Chapter 7

Adv#: 2:16-01270 Romero v. Marti

#5.00 Cont'd status conference re: Plaintiff Mario Romero's complaint for adversary proceedings and nondischargeability of defendants' debt pursuant to: (1) 11 U.S.C. §§ 727(a)(2), 727(a)(3); 727(a)(4) and 727(a)(7); (2) 11 U.S.C. §523; 523(a)(4); 523(6); and 11 U.S.C. §523(a)(19); (3) Nondischargeability fr. 1/31/18, 2/6/18, 6/5/18

Docket 1

***** VACATED *** REASON: Dismissed by stip & order entered on 8/14/18-mb.**

Tentative Ruling:

Off calendar. The status conference is moot in light of the dismissal of the adversary proceeding by stipulation and order entered on 8/14/18. No appearances are necessary.

Party Information

Debtor(s):

Maria Virginia Marti

Represented By
Anita Khachikyan

Defendant(s):

Maria Virginia Marti

Pro Se

Plaintiff(s):

Mario Romero

Represented By
Dimitrios P Biller

Trustee(s):

Jason M Rund (TR)

Pro Se

Jason M Rund (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

1:30 PM

2:16-17064 Maria Virginia Marti
Adv#: 2:16-01270 Romero v. Marti

Chapter 7

#6.00 Cont'd hearing re: Motion to dismiss adversary proceeding
fr. 6/5/18

Docket 179

***** VACATED *** REASON: Dismissed by stip & order entered on
8/14/18-mb.**

Tentative Ruling:

Off calendar. The motion is moot in light of the dismissal of the adversary proceeding by stipulation and order entered on 8/14/18. No appearances are necessary.

Party Information

Debtor(s):

Maria Virginia Marti

Represented By
Anita Khachikyan

Defendant(s):

Maria Virginia Marti

Represented By
Derek L Tabone

Plaintiff(s):

Mario Romero

Represented By
Dimitrios P Biller
Derek L Tabone
Patrick M Maloney

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:17-01245 7175 WB, LLC v. Jaurigui

#7.00 Order to show cause why sanctions should not be imposed against defendant's attorney Leonard Pena for failure to appear at the July 17, 2018 status conference hearing

Docket 19

***** VACATED *** REASON: Order discharging order to show cause and vacating hearing entered on 8/23/18-mb.**

Tentative Ruling:

Off calendar. The court has reviewed counsel declaration in response to the order to show cause and discharges the order to show cause. No appearances are required on 8/28/18.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Plaintiff(s):

7175 WB, LLC

Represented By
Michael D Good

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#8.00 Cont'd status conference re: Complaint for: (1) Declaratory Relief Regarding Alleged Standing Of Defendants Under Note And Deed Of Trust; (2) Declaratory Relief Regarding Purported Foreclosure Sale And Trustees Deed Upon Sale And Title To Real Property; (3) Declaratory Relief Regarding Unlawful Detainer Action; (4) Turnover Of Real Property; (5) Disallowance Of Any Claims Of JPMorgan Chase Bank, N.A.; (6) Violation Of Fair Debt Collection Practices Act
fr. 3/20/18, 5/1/18, 7/10/18

Docket 1

***** VACATED *** REASON: Cont'd from 8/28/18 to 10/16/18 at 1:30 p.m.
per stip & order entered on 8/22/18-mb.**

Tentative Ruling:

Updated tentative ruling. Off calendar. Continued by stipulation and order to 10/16/18 at 1:30 p.m. No appearances are required on 8/28/18.

Prior tentative ruling as of 4/30/18. No tentative ruling on the merits. Appearances are required on 5/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. Off calendar. The court on its own motion continues the status conference to 3/20/18 at 3:00 p.m. A separate order is being entered. No appearances are required on 2/27/18.

Prior tentative ruling. The court has reviewed the joint status report and also notes on the case docket that there is a hearing on the motion of defendant JP Morgan Chase Bank, N.A. to dismiss plaintiff's amended complaint on 2/27/18 at 3:00 p.m., which may have an impact on scheduling in this adversary proceeding. Therefore, the court on its own motion continues the status conference to 2/27/18 at 3:00 p.m. to be conducted with the hearing on the motion to dismiss the amended complaint. No appearances are required on 2/13/18.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

1:30 PM

CONT... Grand View Financial LLC

Chapter 11

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Pro Se

QUALITY LOAN SERVICE

Pro Se

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01213 Grand View Financial, LLC v. Hanes

#9.00 Status conference re: Complaint for turnover of property of the estate

Docket 1

Tentative Ruling:

Given the severity of the circumstances of turnover in the circumstances of this case, if plaintiff seeks judgment against defendants (meaning eviction of defendants from their residence which they had conveyed to plaintiff for it to perform certain services to save their home from foreclosure in exchange for rent payments and shared equity arrangements, which defendants allegedly defaulted), the court will order that plaintiff serve any dispositive motion on defendants by personal delivery. Appearances are required on 8/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By

Todd M Arnold

Lindsey L Smith

Ian Landsberg

Defendant(s):

Shirley Hanes

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By

Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01214 Grand View Financial, LLC v. Ho

#10.00 Status conference re: Complaint for turnover of property of the estate

Docket 1

Tentative Ruling:

Given the severity of the circumstances of turnover in the circumstances of this case, if plaintiff seeks judgment against defendants (meaning eviction of defendants from their residence which they had conveyed to plaintiff for it to perform certain services to save their home from foreclosure in exchange for rent payments and shared equity arrangements, which defendants allegedly defaulted), the court will order that plaintiff serve any dispositive motion on defendants by personal delivery. Appearances are required on 8/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By

Todd M Arnold

Lindsey L Smith

Ian Landsberg

Defendant(s):

Steven Ho

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By

Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

1:30 PM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01236 8800 LLC v. TMC Realty, L.L.C.

#11.00 Status conference re: Removal Of Civil Action Under 28 U.S.C. § 1452(a)

Docket 1

***** VACATED *** REASON: Cont'd from 8/28/18 to 9/11/18 at 2:30 p.m.
per stip & order entered on 8/21/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 9/11/18 at 2:30 p.m. No appearances are required on 8/28/18.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

Defendant(s):

TMC Realty, L.L.C.

Pro Se

Plaintiff(s):

8800 LLC

Represented By
Martin J Brill
Jeffrey S Kwong
David B Golubchik

United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar

Tuesday, August 28, 2018

Hearing Room 1675

1:30 PM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01237 TMC Realty, LLC v. 8800 Sunset LLC et al

#12.00 Status conference re: Removal Of Civil Action Under 28 U.S.C. § 1452(a)

Docket 1

*** VACATED *** REASON: Cont'd from 8/28/18 to 9/11/18 at 2:30 p.m.
per stip & order entered on 8/21/18-mb.

Tentative Ruling:

Off calendar. Continued by stipulation and order to 9/11/18 at 2:30 p.m. No appearances are required on 8/28/18.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

Defendant(s):

8800 Sunset LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

8800 LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

Plaintiff(s):

TMC Realty, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

1:30 PM

2:18-18229 Billy Redd

Chapter 7

#13.00 Order to show cause hearing on debtor's failure to file a Certificate of Credit Counseling

Docket 8

***** VACATED *** REASON: Order vacating hearing entered on 8/23/18-
mb.**

Tentative Ruling:

Off calendar. The court vacates the hearing on the order to show cause because it has by prior order extended time for debtor to file his petition-related documents. No appearances are required on 8/28/18.

Party Information

Debtor(s):

Billy Redd

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

2:00 PM

2:13-39626 Peter James Eichler, Jr

Chapter 7

Adv#: 2:14-01547 Stahl, Chapter 7 Trustee v. Eichler, Jr

#14.00 Cont'd pretrial conference re: Complaint against debtor Peter James Eichler, Jr.
for denial of discharge [11 U.S.C. §727]
fr. 2/13/18, 4/17/18, 7/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/17/18. Off calendar. In light of the pending settlement between the parties in the main bankruptcy case, the court on its own motion continues the pretrial conference to 10/16/18 at 2:00 p.m. No appearances are required on 8/28/18.

Prior tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Updated tentative ruling as of 9/25/17. Off calendar. Continued by stipulation and order to 11/28/17 at 2:00 p.m. No appearances are required on 9/26/17.

Prior tentative ruling as of 6/26/17. Off calendar. Continued by stipulation and order to 8/29/17 at 2:00 p.m. No appearances are required on 6/27/17.

Prior tentative ruling as of 3/20/17. Off calendar. Continued by stipulation and order to 4/25/17 at 2:00 p.m. No appearances are required on 3/21/17.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 1/20/15, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

2:00 PM

CONT... Peter James Eichler, Jr

Chapter 7

Debtor(s):

Peter James Eichler Jr

Represented By
Christian T Kim
James A Dumas Jr
Miri Kim Wakuta

Defendant(s):

Peter James Eichler Jr

Pro Se

Plaintiff(s):

Alberta P. Stahl, Chapter 7 Trustee

Represented By
Monica Y Kim

Trustee(s):

Alberta P Stahl (TR)

Represented By
Carmela Pagay
Monica Y Kim
Timothy J Yoo

Alberta P Stahl (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

2:30 PM

2:17-17577 Peter G. Kudrave

Chapter 11

#15.00 Hearing re: Application for payment of: final fees an/or expenses for David A Tilem, Debtor's Attorney, Period: 6/21/2017 to 7/31/2018, Fee: \$56,790.00, Expenses: \$2,884.39.

Docket 98

***** VACATED *** REASON: Cont'd from 8/28/18 to 10/24/18 at 11:00
a.m. per order entered on 8/24/18-st**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Peter G. Kudrave

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

2:30 PM

2:17-25749 Peter Michael Ulloa and Claudia Carina Ulloa

Chapter 7

#16.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[James M. Rund, Chapter 7 Trustee]

Docket 23

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 8/28/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Peter Michael Ulloa

Represented By
David Lozano

Joint Debtor(s):

Claudia Carina Ulloa

Represented By
David Lozano

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

2:30 PM

2:18-15022 Diana Christina Peraza

Chapter 7

Adv#: 2:18-01208 Avery v. Hernandez et al

#17.00 Hearing re: Motion for default judgment

Docket 16

Tentative Ruling:

Grant trustee's motion for default judgment for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 8/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Diana Christina Peraza	Pro Se
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Defendant(s):

Luis Hernandez	Pro Se
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Diana Christina Peraza	Pro Se
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Plaintiff(s):

Wesley H. Avery	Represented By Carmela Pagay
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Trustee(s):

Wesley H Avery (TR)	Represented By Carmela Pagay
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

2:30 PM

2:18-15022 Diana Christina Peraza

Chapter 7

Adv#: 2:18-01208 Avery v. Hernandez et al

#17.10 Cont'd status conference re: Complaint for: (1) avoidance of voidable transfer;
(2) recovery of avoided transfer; and (3) turnover of property)
[11 U.S.C. §§ 542, 544, 548 and 550]
fr. 8/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/27/18. No tentative ruling on the merits.
Appearances are required on 8/28/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report, suggesting that the status conference be continued to 8/28/18 at 2:30 p.m., the date and time of the hearing on plaintiff's motion for default judgment. The court continues on its own motion the status conference to 8/28/18 at 2:30 p.m. No appearances are required on 8/21/18.

Party Information

Debtor(s):

Diana Christina Peraza Pro Se

Defendant(s):

Luis Hernandez Pro Se

Diana Christina Peraza Pro Se

Plaintiff(s):

Wesley H. Avery Represented By
Carmela Pagay

Trustee(s):

Wesley H Avery (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

2:30 PM

2:18-18266 Cynthia Diane Seten

Chapter 7

#18.00 Order to show cause re dismissal for failure to comply with rule 1006-(b)

Docket 16

Tentative Ruling:

No tentative ruling as of 8/27/18. Appearances are required on 8/28/18.

Party Information

Debtor(s):

Cynthia Diane Seten

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, August 28, 2018

Hearing Room 1675

2:30 PM

2:18-18266 Cynthia Diane Seten

Chapter 7

#19.00 Order to show cause re debtor's failure to file Certificate of Credit Counseling

Docket 21

Tentative Ruling:

No tentative ruling as of 8/27/18. Appearances are required on 8/28/18.

Party Information

Debtor(s):

Cynthia Diane Seten

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#1.00 Mediation

Docket 0

***** VACATED *** REASON: Order vacating mediation conference
entered on 8-24-18. pj**

Tentative Ruling:

Off calendar. By order filed on 8/23/18, the court vacated the mediation conference at request of counsel and will reschedule date and time of mediation conference once counsel notifies the court of availability of all counsel. No appearances are required on 8/29/18.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By

Daren M Schlecter

Rachel S Milman Esq

A. Lavar Taylor

Lisa Nelson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

11:00 AM

2:10-60711 Brunelle Equities LLC

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 12/6/17, 3/1/18, 5/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/27/18. No tentative ruling on the merits.
Appearances are required on 8/29/18, but counsel may appear by telephone.

Revised tentative ruling as of 5/9/18. Off calendar. Since creditor's motion to
dismiss has been resolved by stipulation and order, the court on its own
motion continues the status conference in this case to 8/29/18 at 11:00 a.m.
A status report is due on 8/22/18. No appearances are required on 5/10/18.

Updated tentative ruling as of 5/7/18. No tentative ruling will be issued for the
evidentiary hearing on the motion. Appearances are required on 5/10/18.

Prior tentative ruling as of 4/5/18. No tentative ruling on the merits.
Appearances are required on 4/12/18.

Revised tentative ruling as of 2/28/18. Off calendar. In light of the
continuance of the hearing on creditor's motion to dismiss, the court on its
own motion continues the status conference in this case to 4/12/18 at 9:00
a.m. No appearances are required on 3/1/18.

Prior tentative ruling as of 11/28/17. Off calendar. The court, after reviewing
the case docket, on its own motion continues the status conference to be
conducted with the hearing on creditor's motion to dismiss or convert on
12/6/17 at 11:00 a.m. No appearances are required on 11/29/17.

Prior tentative ruling as of 10/25/17. Off calendar. Continued by stipulation
and order to 11/29/17 at 11:00 A.M. No appearances are required on
10/25/17.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

11:00 AM

CONT... Brunelle Equities LLC

Chapter 11

Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. The court has reviewed debtor's status report filed on 2/23/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/10/17. Off calendar. Continued by stipulation and order to 3/1/17 at 11:00 a.m. No appearances are required on 1/11/17.

Prior tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/13/16. No tentative ruling on the merits, but debtor should address why a postconfirmation status report was not timely filed as ordered by the court on 10/18/16. Appearances are required on 12/14/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Brunelle Equities LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

11:00 AM

2:12-15626 Forbco Sizzler Partners, L.P.

Chapter 11

#3.00 Cont'd status conference re: Post confirmation of plan
fr. 8/30/17, 11/8/17, 2/14/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/27/18. No tentative ruling on the merits.
Appearances are required on 8/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/12/18. No tentative ruling on the merits.
Appearances are required on 2/14/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits.
Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtors' status report. No
tentative ruling on the merits. Appearances are required on 7/26/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

Forbco Sizzler Partners, L.P.

Represented By
Robert E Opera
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

11:00 AM

2:15-24071 Francisco O Lopez

Chapter 11

#4.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 8/30/17, 11/8/17, 2/14/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/27/18. No tentative ruling on the merits. Appearances are required on 8/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/12/18. No tentative ruling on the merits. Regarding United States Trustee's limited opposition to motion to close case on an interim basis, debtor needs to address the objection regarding unpaid United States Trustee quarterly fees. Appearances are required on 2/14/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/17. No tentative ruling on the merits. The court notes that debtor filed a motion for order closing case on an interim basis with notice and opportunity for a hearing pursuant to LBR 9013-1(o). Debtor has not filed a declaration of non-opposition. The court is inclined to deny the motion without prejudice because there is no evidence in support of the assertions made in the motion. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. The court has reviewed debtor's postconfirmation status report, reporting he anticipates filing a motion for final decree within the next 90 days. Appearances are required on 4/26/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's postconfirmation status report. No tentative ruling on the merits. Appearances are required on 11/30/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

11:00 AM

CONT... Francisco O Lopez

Chapter 11

Party Information

Debtor(s):

Francisco O Lopez

Represented By
Nam H. Le

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#5.00 Hearing re: Second interim application for payment of compensation and reimbursement of expenses of Illyssa I. Fogel & Associates, bankruptcy counsel to debtor

Docket 499

Tentative Ruling:

No tentative ruling as of 8/27/18. Appearances are required on 8/29/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#6.00 Hearing re: Motion for approval of second stipulation for use of cash collateral with Prime Business Credit, Inc.

Docket 95

Tentative Ruling:

Grant debtor's motion to approve second stipulation for use of cash collateral with Prime Business Credit for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 8/29/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

11:00 AM

2:18-10551 Nina Mosby

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/7/18, 5/16/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/27/18. The court has reviewed debtor's status report filed on 8/15/18. No tentative ruling on the merits. Appearances are required on 8/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/11/18. The court has reviewed debtor's status report filed on 5/9/18. No tentative ruling on the merits. Appearances are required on 5/16/18, but counsel may appear by telephone.

Updated tentative ruling as of 3/5/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Nina Mosby

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/11/18, 5/23/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/18. No tentative ruling on the merits.
Appearances are required on 5/23/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. The
proposed claims bar date of 7/13/18 and proposed date for filing a disclosure
statement of 6/4/18 seem reasonable. Appearances are required on 4/11/18,
but counsel may appear by telephone.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

11:00 AM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#8.10 Hearing re: Application to employ The Law Offices of Brian H. Cole as Special Franchise Law Counsel

Docket 116

Tentative Ruling:

Off calendar. The court on its own motion continues the hearing on the application to employ special litigation counsel to the date and time of the hearing on creditor's motion to dismiss the bankruptcy case on 9/19/18 at 2:30 p.m. as a status conference on the application. Most likely, creditor's motion to dismiss is a contested matter under FRBP 9014 and may require an evidentiary hearing which the court will set at the hearing on 9/18/18, and the hearing on the employment application will trail the hearing on the motion to dismiss since granting of the motion to dismiss will moot out the application. No appearances are required on 8/29/18. Debtor to notify applicant of the continuance.

Party Information

Debtor(s):

Paul Bodeau

Represented By
Lane K Bogard
David R Haberbush
Vanessa M Haberbush
Louis H Altman

Joint Debtor(s):

Sandra Bodeau

Represented By
Lane K Bogard
David R Haberbush
Vanessa M Haberbush
Louis H Altman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#9.00 Cont'd final pretrial conference re: Motion to disallow claims of Banc of California, N.A. fr. 3/7/18, 3/21/18, 5/2/18, 6/27/18

Docket 372

***** VACATED *** REASON: Cont'd from 8/29/18 to 11/7/18 at 1:30 p.m.
per stip & order entered on 8/16/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/27/18. Off calendar. Continued by stipulation and order to 11/7/18 at 1:30 p.m. No appearances are required on 8/29/18.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

1:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#10.00 Cont'd hearing re: Motion by the chapter 7 trustee objecting to the debtor's amended schedules filed December 12, 2017 (docket no. 229) to claim a homestead exemption in the real property at 329 Hawaiian Avenue, Wilmington, CA and to claim a "tools of the trade" exemption in commissions fr. 2/13/18, 3/27/18

Docket 241

Tentative Ruling:

Updated tentative ruling as of 8/27/18. No tentative ruling on the merits will be issued. Appearances are required on 8/29/18.

No updated tentative ruling as of 3/26/18. Appearances are required on 3/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

No tentative ruling as of 2/12/18. Appearances are required on 2/13/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Marc Weitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

1:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#11.00 Cont'd hearing re: Motion to reopen discovery in regards to the homestead matter; motion to extend time to respond to the opposition of the chapter 7 trustee filed (docket 241)
fr. 3/27/18

Docket 263

Tentative Ruling:

Updated tentative ruling as of 8/27/18. No tentative ruling on the merits will be issued. Appearances are required on 8/29/18.

Prior tentative ruling. For the convenience of the parties, the court will hear this matter on its 11:00 a.m. calendar, so the parties need not come to court twice on 3/27/18.

Overrule trustee's evidentiary objections to debtor's moving papers because the objected to statements are argument. Deny debtor's motion to reopen discovery on, and extend time to respond to trustee's objection to, his homestead exemption because the matter of the objection has been fully tried, the evidence was closed, reconsideration was only granted to allow further argument based on a possible change in the case law, and debtor's motion presents no new facts relevant to the claimed homestead exemption that warrant reopening of discovery. On their face, the alleged facts asserted by debtor do not state a claim for relief against trustee for misconduct or fraud (i.e., whether there was allegedly any problem with the buyer's FHA loan to purchase the real property asset of the bankruptcy estate is only an issue between the FHA and the buyer and does not invalidate the sale). The court has already extended time for debtor to respond to trustee's papers, and a further extension is not justified. Appearances are required on 3/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

1:30 PM

CONT... Arturo Gonzalez

Chapter 7

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Marc Weitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

3:30 PM

2:18-10692 Morningside, LLC

Chapter 11

#12.00 Hearing re: Debtor's motion to dismiss chapter 11 bankruptcy

Docket 65

Tentative Ruling:

No tentative ruling will be issued for the motion heard on shortened notice.
Appearances are required on 8/29/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Morningside, LLC

Represented By
Moises S Bardavid

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

3:30 PM

2:18-10692 Morningside, LLC

Chapter 11

#13.00 Cont'd hearing re: Motion for order approving sale of real property pursuant to 11 U.S.C. §363 fr. 8/22/18

Docket 52

Tentative Ruling:

Updated tentative ruling as of 8/27/18. No updated tentative ruling on the merits. Appearances are required on 8/29/18.

Revised tentative ruling as of 8/20/18. No tentative ruling on the merits. Although debtor represents that 11 U.S.C. 363(f) is met through consent of all of the affected lienholders under 11 U.S.C. 363(f)(2), no proof of consent has been submitted. The court will not imply consent here based on lack of written response, given that the hearing on the motion is on shortened notice and the sizable reduction of \$250,000 of one lienholder without corroborative evidence of consent being offered by debtor (the sale as proposed would be a \$250,000 stripoff of this junior lien). Debtor will have to offer written consent of the affected lienholders for the court to find that consent is met under 11 U.S.C. 363(f)(2) as represented in the moving papers, and the court would continue the hearing for debtor to obtain proof of consent if needed. As to the request of the United States Trustee to examine the prospective buyers and the real estate agents, it would expedite the hearing if these parties were present for examination at the hearing. No tentative ruling as to the prospective buyers' breakup fee since they already put money into the purchase with debtor's apparent encouragement without court authorization or notice to creditors. While the prospective buyers may have been acting in good faith negotiating their purchase with debtor, debtor was apparently bypassing the procedural protections of the Bankruptcy Code in negotiating the sale and seeking dismissal to consummate the sales transaction, which is problematic. Appearances are required on 8/22/18.

Prior tentative ruling. No tentative ruling will be issued on the motion heard on shortened notice. Debtor must address opposition of United States Trustee that the sale is not a good faith, arms length transaction. Appearances are required on 8/22/18.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, August 29, 2018

Hearing Room 1675

3:30 PM

CONT... Morningside, LLC

Chapter 11

Party Information

Debtor(s):

Morningside, LLC

Represented By
Moises S Bardavid

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

10:30 AM

2:17-22183 1060 Palms, LLC

Chapter 11

#1.00 Hearing re: Motion for relief from stay
(BDP Investments, LLC VS Debtor)

Docket 43

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 4 for lack of evidentiary and/or legal support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). Because stay relief is granted under 11 U.S.C. 362(d)(1), it is not necessary for the court to rule on the request for such relief under 11 U.S.C. 362(d)(2). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

1060 Palms, LLC

Represented By
Moises S Bardavid

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

10:30 AM

2:18-16733 Velia Fuentes

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Bayview Loan Servicing, LLC VS Debtor)

Docket 16

***** VACATED *** REASON: Case converted to chapter 13 & reassigned
before Judge Sandra Klein-mb.**

Tentative Ruling:

Off calendar. The case was converted to Chapter 13 and reassigned to Judge Klein. Movant will need to renote the motion before Judge Klein. No appearances are required on 9/4/18.

Party Information

Debtor(s):

Velia Fuentes

Represented By
Marc A Goldbach

Movant(s):

Bayview Loan Servicing, LLC as

Represented By
Gilbert R Yabes

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

10:30 AM

2:18-17165 Ki Y Jang

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Union & Grattan Properties, LLC VS Debtor)

Docket 22

Tentative Ruling:

Because the bankruptcy case was dismissed on 8/23/18, the relief sought under 11 U.S.C. 362(d)(2) is moot. 11 U.S.C. 362(c)(1) and (2). Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief, including annulment, for the reasons stated in the moving papers and for lack of timely written opposition. If request for relief from stay pursuant to 11 U.S.C. 362(d)(2) is not moot, deny for lack of admissible evidence regarding valuation of debtor's equity in subject real property because the trustee's sale guarantee has not been demonstrated to be based on scientifically accepted methodology of valuation (i.e., expert witness testimony by a qualified expert witness conducting a sales comparable analysis). Deny requests for extraordinary relief in paragraphs 10 and 11 for lack of evidentiary and/or legal support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).
The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Ki Y Jang

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

10:30 AM

CONT... Ki Y Jang

Chapter 7

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

10:30 AM

2:18-18140 Jenelle Betancourt Brito

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(First Financial Credit Union VS Debtor)

Docket 7

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny requests for extraordinary relief in paragraphs 3 and 7 for lack of evidentiary and/or legal support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Jenelle Betancourt Brito

Represented By
Jasmine Firooz

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

1:30 PM

2:16-18163 Anthony Curtis Wells

Chapter 7

Adv#: 2:16-01440 Diamond, Chapter 7 Trustee, Plaintiff v. Wells et al

- #5.00** Cont'd status conference re: Chapter 7 trustee's complaint: (1) for declaratory relief; (2) for turnover; (3) to avoid and recover fraudulent transfer; (4) imposition of a constructive trust; and (4) in the alternative, for sale of the entirety of real property pursuant to 11 U.S.C. §363(h) fr. 3/27/18, 6/19/18, 7/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/31/18. No tentative ruling on the merits. Appearances are required on 9/4/18 to discuss the status of the matter in light of developments in the main bankruptcy case relating to the sale of the subject property and the order for turnover, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. No tentative ruling on the merits. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits. Appearances are required on 3/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/21/17. No tentative ruling on the merits. Appearances are required on 8/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

1:30 PM

CONT...

Anthony Curtis Wells

Chapter 7

Appearances are required on 5/9/17 to discuss the status of the related state court litigation in which entry of judgment was expected shortly as reported at the last status conference and the scheduling of further proceedings if judgment has not been entered and trustee is not yet prepared to dismiss this adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 2/27/17. The court notes that the parties failed to file a joint status report as required by LBR 7016-1. Appearances are required on 2/28/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report and is inclined to stay the proceedings pending the trial in the related state court action starting on 1/10/17 and to set a further status conference afterwards on 1/31/17 at 1:30 p.m. Appearances are required on 1/29/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Anthony Curtis Wells

Pro Se

Sayun Wells

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Aaron E de Leest

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

1:30 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

#6.00 Cont'd hearing re: Motion for order authorizing abandonment
fr. 5/29/18

Docket 81

Tentative Ruling:

Updated tentative ruling as of 8/31/18. No tentative ruling on the merits. It appears that the opposing parties may seek a continuance of the status conference based on their ongoing litigation in the various adversary proceedings against the debtor, which is now in mediation. Appearances are required on 9/4/18 to discuss the status of the matter, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 since there are disputed issues of material fact regarding the reasonableness of the trustee's exercise of business judgment to abandon all assets of the estate to the debtor. The court will conduct the hearing as a status conference, and the parties should be prepared to discuss scheduling of pretrial and trial proceedings, including what evidence or discovery they will need for trial. As a suggestion in response to the trustee's reply to the opposition of the two objecting creditors, the court would consider a continuance of the hearing to allow the objecting creditors and their counsel to meet and confer with the trustee to hear in detail why the trustee believes that the assets should be abandoned. Appearances are required on 5/29/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Andrew Edward Smyth

Trustee(s):

Wesley H Avery (TR)

Represented By
Alan I Nahmias

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

1:30 PM

CONT...

Anthony Roy Martinez

Stephen F Biegenzahn

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

1:30 PM

2:18-17424 San Pedro Waterfront LLC dba Ports O'Call Res

Chapter 11

Adv#: 2:18-01216 San Pedro Waterfront, LLC, dba Ports O'Call R v. City of Los Angeles, a

#7.00 Status conference re: Complaint for an injunction pursuant to 11 U.S.C. §105(A)

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on
8/21/18-mb.**

Tentative Ruling:

Off calendar. The status conference is moot because the adversary proceeding was dismissed by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

San Pedro Waterfront LLC dba Ports

Represented By
David R Haberbush

Defendant(s):

City of Los Angeles, a municipal

Represented By
Allan H Ickowitz

Plaintiff(s):

San Pedro Waterfront, LLC, dba

Represented By
David R Haberbush
Vanessa M Haberbush
Lane K Bogard

Jayne Wilson dba Spirit Cruises

Represented By
David R Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01144 Alde Financial Group, LLC v. Martinez

#8.00 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
[11 U.S.C. §523(a)(2)(A)]
fr. 6/5/18, 6/19/18, 7/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/31/18. No tentative ruling on the merits. Appearances are required on 9/4/18 to discuss the status of the mediation, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. The court has reviewed the joint status report. Appearances are required on 11/14/17 to discuss the possibility of joint mediation, scheduling of further proceedings, including pretrial conference and trial, but counsel may appear by telephone. The consensus

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

CONT...

Anthony Roy Martinez

Chapter 7

of the parties seems to be a discovery cutoff date of March 2018, i.e., March 31, 2018, a pretrial conference in April 2018, and a trial date in June 2018. The parties should be prepared to discuss how the case should be tried, given there are 6 sets of plaintiffs, and the length of trial, so that all parties have a full and fair opportunity to present their various cases. Perhaps it would be helpful to consider trying certain claims based on commonality of witnesses and facts, such as the particular type of investment vehicle involved. Defendant indicated an interest in mediation, but plaintiffs indicated no interest in mediation, and the court would like to hear from plaintiffs why mediation would not be helpful in resolving their claims, given that collectibility of defendant is probably an issue.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 9/1/17 and a further postdiscovery status conference for 9/26/17 at 1:30 p.m. with a joint status report due on 9/19/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 9/26/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Alde Financial Group, LLC

Represented By
Timothy J Silverman

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01146 Karen Baird v. Martinez

#9.00 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
[11 U.S.C. §523(a)(2)(A)]
fr. 6/5/18, 6/19/18, 7/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/31/18. No tentative ruling on the merits. Appearances are required on 9/4/18 to discuss the status of the mediation, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 9/1/17 and a further postdiscovery status conference for 9/26/17 at 1:30 p.m. with a joint status report due on 9/19/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 9/26/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Karen Baird

Represented By
Timothy J Silverman

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez
Adv#: 2:17-01147 Hinojos v. Martinez

Chapter 7

#10.00 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
fr. 6/5/18, 6/19/18, 7/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/31/18. No tentative ruling on the merits. Appearances are required on 9/4/18 to discuss the status of the mediation, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez Chapter 7

mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Ezequiel Hinojos

Represented By
Thomas Spielbauer
Thomas Spielbauer

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez
Adv#: 2:17-01149 Van v. Martinez

Chapter 7

#11.00 Cont'd pretrial conference re: Complaint for denial of discharge of debt
fr. 6/5/18, 6/19/18, 7/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/31/18. No tentative ruling on the merits. Appearances are required on 9/4/18 to discuss the status of the mediation, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the status reports filed by the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

CONT... **Anthony Roy Martinez**

Chapter 7

parties. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Sandy Van

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01157 Wideload Investments, LLC et al v. Martinez

#12.00 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
 [11 U.S.C. §523(a)(2)(A)]
 fr. 6/5/18, 6/19/18, 7/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/31/18. No tentative ruling on the merits. Appearances are required on 9/4/18 to discuss the status of the mediation, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

CONT...

Anthony Roy Martinez

Chapter 7

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Wideload Investments, LLC

Represented By
Ryan A. Ellis

Benjamin Rudnitsky

Represented By
Ryan A. Ellis

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01158 Carter et al v. Martinez

#13.00 Cont'd pretrial conference re: Complaint to except debt from discharge for willful and malicious injury and as money obtained under false pretenses; fraud [11 U.S.C. § 523 (a)2)(A) & (6)] fr. 6/5/18, 6/19/18, 7/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/31/18. No tentative ruling on the merits. Appearances are required on 9/4/18 to discuss the status of the mediation, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/19/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the unilateral status report filed by defendant. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Lance Carter

Represented By
Dana M Douglas

Jean Holmes

Represented By
Dana M Douglas

Carriage Estates LLC

Represented By
Dana M Douglas

Adamantine Investments LLC

Represented By
Dana M Douglas

Sterling Holdings LLC

Represented By
Dana M Douglas

Lance Carter IRA 419990

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

2:16-26310 Jong Kyu Cha

Chapter 7

Adv#: 2:17-01201 Hanin Federal Credit Union v. Cha

#14.00 Pretrial conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(2)(A) and (B), 11 U.S.C. 523(a)(4) and 11 U.S.C. §523(a)(6) fr. 1/30/18, 6/5/18, 8/7/18

Docket 1

***** VACATED *** REASON: Adv s/c set on 9/11/18 at 2:00 p.m. per stip & order entered on 8/10/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 8/31/18. Off calendar. By stipulation and order entered on 8/10/18, the matter is set for a status conference on 9/11/18 at 2:00 p.m. No appearances are required on 9/4/18.

Prior tentative ruling as of 8/6/18. Counsel for plaintiff filed a notice of settlement on 5/29/18, but no dispositive stipulation for dismissal or judgment based on the settlement has been filed with the court. No tentative ruling on the merits. Appearances are required on 8/7/18 to address why no joint pretrial stipulation has been filed or why a stipulation for dismissal or judgment has been filed, and why sanctions should not be imposed for failing to file a joint pretrial stipulation under LBR 7016-1, including dismissal for lack of prosecution, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Counsel for plaintiff filed a notice of settlement on 5/29/18. No tentative ruling on the merits. Appearances are required on 6/5/18 to confirm the proposed settlement, and if not, to address why no joint status report or pretrial stipulation has been filed, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. The court has reviewed the joint status report stating that the parties are actively negotiating settlement. No tentative ruling on the merits. Appearances are required on 1/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:00 PM

CONT... Jong Kyu Cha

Chapter 7

Appearances are required on 10/24/17.

Prior tentative ruling as of 10/6/17. No tentative ruling on the merits.
Appearances are required on 10/10/17.

Prior tentative ruling. The court has reviewed the joint status report and notes that the report does not state whether the parties had their LBR 7026-1 meeting of counsel. Appearances are required on 5/23/17.

Party Information

Debtor(s):

Jong Kyu Cha

Represented By
Jisoo Hwang

Defendant(s):

Jong Kyu Cha

Pro Se

Plaintiff(s):

Hanin Federal Credit Union

Represented By
Jiyoung Kym
Jiyoung Kym

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01113 Diamond, Chapter 7 Trustee, Plaintiff v. Premier Rehabilitation Services, a

#15.00 Hearing re: Defendant's motion for summary judgment or in the alternative summary adjudication

Docket 54

***** VACATED *** REASON: Cont'd from 9/4/18 to 10/23/18 at 2:30 p.m.
per stip & order entered on 8/10/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 10/23/18 at 2:30 p.m. No appearances are required on 9/4/18.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M. Jonathan Hayes
Michael Jay Berger

Defendant(s):

Premier Rehabilitation Services, a

Represented By
Jeffrey S Shinbrot

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell
Howard Kollitz
Zev Shechtman

Trustee(s):

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell
Zev Shechtman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#16.00 Cont'd hearing re: Motion to allow and pay administrative expense claims
fr. 6/26/18, 7/31/18

Docket 453

***** VACATED *** REASON: Cont'd from 9/4/18 to 10/9/18 at 2:30 p.m.
per order entered on 8/16/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 10/9/18 at 2:30 p.m. No
appearances are required on 9/4/18.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:30 PM

2:17-15655 Amanuel Devon Brooks

Chapter 7

#17.00 Hearing re: Real party-in-interest borrower Neutral Ground, Inc.'s motion to vacate order of December 20, 2017 granting lender's in rem relief from stay

Docket 61

Tentative Ruling:

Deny motion of Neutral Ground under FRCP 60(b) to vacate in rem stay relief order under 11 U.S.C. 362(d)(4) because movant was accorded due process under the safety valve provision of 11 U.S.C. 362(d)(4) in its own Chapter 11 bankruptcy case when it brought a motion for reimposition of the stay in its own case before the foreclosure sale was final, which motion was denied by the court by Judge Russell and the order of denial was not appealed from. That order is now final and not subject to collateral attack. See *In re Greenstein*, 576 B.R. 139 (Bankr. C.D. Cal. 2017). Movant was also accorded due process when it filed a motion to vacate the stay relief order in this court before the foreclosure sale was final, which was denied on procedural grounds for lack of sufficient cause, and movant did not file an amended motion for relief before the foreclosure sale closed, which makes the matter moot because the foreclosure sale is now completed. Appearances are required on 9/4/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Amanuel Devon Brooks

Represented By
Dana M Douglas

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:30 PM

2:17-17761 Paul Bodeau

Chapter 11

Adv#: 2:17-01455 Oggi's Pizza and Brewing Company v. Bodeau et al

#18.00 Hearing re: Motion to compel production of documents and/or privilege log

Docket 16

Tentative Ruling:

Deny defendants' motion to compel production of documents and/or privilege log for the reasons stated by plaintiff in its opposition. The motion is untimely, and it is a violation of the pretrial scheduling order to file the motion well after the discovery cutoff date. The motion could have been filed and heard way before the cutoff date. Award sanctions against defendants in favor of plaintiff of \$1,625 representing 5 hours of attorney time at counsel's billing rate of \$325 per hour as reasonable attorneys' fees for preparing the opposition to the untimely motion pursuant to FRCP 37(a)(5)(B). Defendants' untimely motion is not substantially justified because it should have been filed to be heard before the discovery cutoff date. However, the court does not award fees for the work before the discovery cutoff date because arguably the need for the work could have been substantially justified by a proper motion to compel if timely filed. Appearances are required on 9/4/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Louis H Altman

Defendant(s):

Paul Bodeau

Represented By

Vanessa M Haberbush

Louis H Altman

Sandra Bodeau

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:30 PM

CONT...

Paul Bodeau

Chapter 11

Vanessa M Haberbush
Louis H Altman

Kevin Michael Bodeau

Pro Se

Bodeau Enterprises

Pro Se

DOES 1-50

Pro Se

Joint Debtor(s):

Sandra Bodeau

Represented By
Lane K Bogard
David R Haberbush
Vanessa M Haberbush
Louis H Altman

Plaintiff(s):

Oggi's Pizza and Brewing Company

Represented By
Alexander J Kessler

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:30 PM

2:17-17761 Paul Bodeau

Chapter 11

Adv#: 2:17-01455 Oggi's Pizza and Brewing Company v. Bodeau et al

#19.00 Hearing re: Motion to extend discovery deadline to allow re-service of a request for production of documents served more than 60 days before the discovery deadline but which Oggi's counsel claims was never received

Docket 19

Tentative Ruling:

Deny defendants' motion to extend discovery deadline for lack of good cause under FRBP 7016 and FRCP 16(b)(4) for the reasons stated in plaintiff's opposition, that is, defendants were not reasonably diligent in following up on their discovery requests to complete their discovery by the discovery cutoff date set forth in the pretrial scheduling order. Appearances are required on 9/4/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Louis H Altman

Defendant(s):

Paul Bodeau

Represented By

Vanessa M Haberbush

Louis H Altman

Sandra Bodeau

Represented By

Vanessa M Haberbush

Louis H Altman

Kevin Michael Bodeau

Pro Se

Bodeau Enterprises

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:30 PM

CONT... Paul Bodeau

Chapter 11

DOES 1-50

Pro Se

Joint Debtor(s):

Sandra Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Louis H Altman

Plaintiff(s):

Oggi's Pizza and Brewing Company

Represented By

Alexander J Kessler

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 4, 2018

Hearing Room 1675

2:30 PM

2:18-14244 Margrit Ovasepian

Chapter 7

#20.00 Hearing re: United States Trustee's motion seeking disgorgement of compensation from debtor's counsel pursuant to 11 U.S.C. § 329

Docket 39

Tentative Ruling:

Treat as contested matter under FRBP 9014 because there are disputed issues of material fact regarding whether the case was dismissed due to debtor's failure to cooperate with counsel as counsel argues. Appearances are required on 9/4/18 to discuss how these factual issues are to be resolved, that is, whether an evidentiary hearing is required. Probably one is required because it appears that there may be issues of credibility regarding prospective testimony of counsel and debtor. Scheduling of pretrial and trial proceedings will need to be discussed at the hearing on 9/4/18.

Party Information

Debtor(s):

Margrit Ovasepian

Represented By
Arman Saakyan

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 5, 2018

Hearing Room 1675

11:00 AM

2:17-22183 1060 Palms, LLC

Chapter 11

#1.00 Cont'd status conference re: Management of chapter 11 case
fr. 11/29/17, 2/21/18, 5/30/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 8/31/18. No tentative ruling on the merits.
Appearances are required on 9/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. The
proposed schedule of proceedings appears reasonable. However, this court
requires at least 60 days notice to creditors of any claims filing bar date.
Appearances are required on 11/29/17, but counsel may appear by
telephone.

Party Information

Debtor(s):

1060 Palms, LLC

Represented By
Moises S Bardavid

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, September 6, 2018

Hearing Room 1675

9:00 AM

2:17-22722 Reyna Maria Taylor

Chapter 7

#1.00 TRIAL RE: Motion for order (1) under 11 U.S.C. §303(i)(1) for attorney fees and costs, and (2) under 11 U.S.C. §303(k) for prohibiting consumer reporting fr. 5/22/18

Docket 54

***** VACATED *** REASON: Per order entered on 6/8/18- st**

Tentative Ruling:

Off calendar. Request for fees withdrawn. No appearances are necessary.

Party Information

Debtor(s):

Reyna Maria Taylor

Represented By
Steven M Mayer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

9:00 AM

2:17-19701 Oscar Padilla

Chapter 7

Adv#: 2:17-01537 Gonzalez v. Padilla

#1.00 TRIAL RE: Objection to the dischargeability of debtor's debt under
11 U.S.C. § 523(A)(2)
fr. 1/16/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/10/18. No tentative ruling will be issued for the trial. Appearances are required on 9/11/18.

No tentative ruling as of 1/12/18. Appearances are required on 1/16/18.

Party Information

Debtor(s):

Oscar Padilla

Represented By
Michael E Clark

Defendant(s):

Oscar Padilla

Pro Se

Plaintiff(s):

Jose Gonzalez

Pro Se

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

10:30 AM

2:18-14084 Edgar Eduardo Esparza

Chapter 11

#2.00 Hearing re: Motion for relief from stay
(Deutsche Bank National Trust Company VS Debtor)

Docket 32

***** VACATED *** REASON: Cont'd from 9/11/18 to 10/23/18 at 10:30
a.m. per stip & order entered on 8/29/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 10/23/18 at 10:30 a.m.
No appearances are required on 9/11/18.

Party Information

Debtor(s):

Edgar Eduardo Esparza

Represented By
Giovanni Orantes
Luis A Solorzano

Movant(s):

Deutsche Bank National Trust

Represented By
Kelly M Raftery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

10:30 AM

2:18-17395 Jaime Alberto Castellon

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(The Bank of New York Mellon VS Debtor)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Jaime Alberto Castellon

Represented By
Sevag Nigoghosian

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

10:30 AM

2:18-19308 Lawrence Vito

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Nationstar Hecm Acquisition Trust 2017-2 VS Debtor)

Docket 8

Tentative Ruling:

Deny motion for stay relief as moot because the bankruptcy case was dismissed on 8/31/18. Appearances are optional on 9/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Lawrence Vito

Pro Se

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01102 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#5.00 Cont'd pretrial conference re: Complaint for (1) to Avoid and Recover Fraudulent or Avoidable Transfers; (2) for Imposition of Constructive Trust; (3) for Unjust Enrichment; (4) for Turnover; and (5) to Disallow Claims fr. 3/20/18, 5/22/18, 7/31/18

Docket 1

***** VACATED *** REASON: Dismissed by stip & order entered on 8/14/18-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by stipulation and order. No appearances are required on 9/11/18.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Raimon Mark Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

2:18-10170 Min Jeong Min

Chapter 7

Adv#: 2:18-01086 Kosma Tex v. Min

#6.00 Cont'd status conference re: Complaint objecting to dischargeability of debt and to determine debt to be nondischargeable under 11 U.S.C. §523(a)(2)(A) fr. 6/5/18, 8/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/10/18. No tentative ruling on the merits. Appearances are required on 9/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. Off calendar. The court has reviewed the joint status report of the parties, which stated that the parties have not conducted their conference under Federal Rule of Bankruptcy Procedure 7026 and Local Bankruptcy Rule 7026-1. The court continues the status conference on its own motion to 9/11/18 at 1:30 p.m. and order that the parties have their Federal Rule of Bankruptcy Procedure 7026 and Local Bankruptcy Rule 7026-1 conference before the continued status conference on 9/11/18. The parties need not file an updated status report for the continued status conference. No appearances are required on 8/21/18.

Prior tentative ruling. Since default has been entered against defendant, defendant will have to file a motion to set aside default unless plaintiff is willing to stipulate to set aside the default and allow defendant's answer to be considered filed. The parties should be prepared to address the issue of whether the default should be set aside. The court is not inclined to set a litigation schedule until the issue of the setting aside the default is resolved. Appearances are required on 6/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Min Jeong Min

Represented By
Young K Chang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT... Min Jeong Min

Chapter 7

Defendant(s):

Min Jeong Min

Pro Se

Plaintiff(s):

Kosma Tex

Represented By
Vahe Khojayan

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

2:18-17263 8800 LLC

Chapter 11

#7.00 Cont'd hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)
fr. 7/31/18, 8/7/18

TMC Realty, LLC v. 8800 Sunset, LLC and 8800 LLC
LASC Case Number SC129282

Docket 34

Tentative Ruling:

The courts in the Ninth Circuit have identified various factors relevant to determining whether the automatic stay should be lifted to allow a creditor to continue pending litigation in a non-bankruptcy forum pursuant to 11 U.S.C. § 362(d)(1). *In re Plumberex Specialty Products, Inc.*, 311 B.R. 551, 557-561 (Bankr. C.D. Cal. 2004), *citing inter alia*, *In re Curtis*, 40 B.R. 795, 799-800 (Bankr. D. Utah 1984). As stated by the court in *Plumberex*, these factors are closely related to those that a bankruptcy court must consider in deciding to exercise permissive abstention under 28 U.S.C. §1334(c)(1). 311 B.R. at 558 and n. 13, *citing inter alia*, *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1167 (9th Cir. 1990). The twelve permissive abstention/stay relief factors set forth by the Ninth Circuit in *Tucson Estates* which this court normally considers are:

1. The effect or lack thereof on the efficient administration of the estate if a court recommends remand. This factor does not favor stay relief. Debtor's lease is one of the primary assets of its estate, and the leased premises are Debtor's principal place of business where most of its assets are located. Debtor intends to file a motion to assume the lease under 11 U.S.C. §365, which will have a major impact on Debtor's prospects for reorganization in this case, and in order for the court to determine the lease assumption motion, the court will have to make the determinations of the not yet judicially determined issues of state law of the validity of the lease termination by Landlord and any claim of relief from lease forfeiture by Debtor, which are intertwined with the lease assumption motion issues. *In re*

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT... 8800 LLC

Chapter 11

Art and Architecture Books of the 21st Century, No. 2:13-bk-14135-RK Chapter 11 (Bankr. C.D. Cal., statement of decision filed on April 15, 2013), citing, *In re Turbowind, Inc.*, 42 B.R. 579, 583 (Bankr. S.D. Cal. 1984). This bankruptcy court has authority to decide the state law issues of validity of lease termination and lease forfeiture relief. *Id.*, citing, *In re Windmill Farms, Inc.*, 841 F.2d 1467, 1468-1474 (9th Cir. 1988); see also, *Matter of Escondido West Travelodge*, 52 B.R. 376, 382 (S.D. Cal. 1985). Debtor's breach of lease action for which stay relief is sought concerns the estate's leasehold interest, and Debtor's ability to assume the lease and continue its business operations would be affected by the outcome of that action.

- 2. The extent to which state law issues predominate over bankruptcy issues.** This factor favors stay relief because the removed breach of lease action of Debtor was initially filed in state court and is based on a state law claim, though Debtor plans to litigate bankruptcy claims under to 11 U.S.C. §§ 365, 541, 547 and 548 related to the lease.
- 3. The difficulty or unsettled nature of the applicable law.** This factor is neutral because Debtor's breach of lease action does not involve law which is difficult or unsettled in nature.
- 4. The presence of a related proceeding commenced in state court or other non-bankruptcy court.** This factor favors stay relief because Debtor's breach of lease was filed in state court, though the court notes Debtor's argument that there are no longer proceedings in state court due to the removal. *Security Farms v. International Brotherhood of Teamsters, etc.*, 124 F.3d 999, 1010 (9th Cir. 1997).
- 5. The jurisdictional basis, if any, other than 28 U.S.C. § 1334.** This factor favors stay relief because Debtor's breach of lease claims are noncore. The Ninth Circuit observed that if a proceeding does not invoke a substantive right created by federal bankruptcy law and if it could exist outside of bankruptcy, it is noncore. *In re Eastport Associates*, 935 F.2d 1071, 1076 (9th Cir. 1991). See also, *Schultze v. Chandler*, 765 F.3d 945, 950-951 (9th Cir. 2014)(state law claim against estate professional arising in case under Bankruptcy Code was core proceeding)). Debtor's breach of lease action could exist outside of bankruptcy, and are thus noncore, and thus, the court

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT...

8800 LLC

Chapter 11

exercises only its "related to" jurisdiction under 28 U.S.C. §1334 to determine Debtor's motion to assume the lease pursuant to 11 U.S.C. § 365 and its claims pursuant to 11 U.S.C. §§ 541, 547 and 548.

6. The degree of relatedness or remoteness of the proceeding to the main bankruptcy case. This factor does not favor stay relief because if Debtor's claims are related to its intended motion to assume the lease, without which it will not be able to reorganize.

7. The substance rather than form of an asserted "core" proceeding. This factor favors stay relief. Debtor's breach of lease action as stated above is noncore. However, as also noted above, the outcome of this action which is related to the lease may have substantial impact on the outcome of Debtor's efforts to reorganize in this Chapter 11 bankruptcy case.

8. The feasibility of severing state law claims from core bankruptcy matters to allow judgments to be entered in state court with enforcement left to the bankruptcy court. This factor does not favor stay relief because Debtor's breach of lease action and the bankruptcy law matter of lease assumption appear to be interrelated.

9. The burden on the bankruptcy court's docket. This factor is neutral.

10. The likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties. This factor favors stay relief because arguably, Debtor is engaging in forum shopping because that it removed the breach of lease action to this court after a trial in Landlord's related unlawful detainer action was set in state court.

11. The existence of a right to a jury trial. This factor favors stay relief. Landlord probably has a right to a jury trial on Debtor's breach of lease action against it, though Landlord can exercise any rights to a jury trial in that action pursuant to Fed. R. Bankr. P. 9015 and Fed. R. Civ. P. 38(b).

12. The presence in the proceeding of nondebtor parties. This factor

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT... 8800 LLC

Chapter 11

does not favor stay relief since Debtor and Landlord are the only parties involved in the removed action.

In weighing the various stay relief factors, the court is inclined to deny the remand motions under the circumstances of this case because the resolution of Debtor's breach of lease claims may substantially impact Debtor's ability to effectively reorganize because it is related to its bankruptcy claims of lease assumption and transfer avoidance can and should be litigated in a single forum to effectuate the purposes of the Bankruptcy Code which include "[c]entralization of disputes concerning a debtor's legal obligations" and "protecting creditors and reorganizing debtors from piecemeal litigation." *In re Thorpe Insulation Co.*, 671 F.3d 1011, 1022-1023 (9th Cir. 2012).

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

2:18-17263 8800 LLC

Chapter 11

#8.00 Cont'd hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)
fr. 7/31/18, 8/7/18

8800 Sunset Boulevard
West Hollywood, California 90069
Ground Floor Restaurant Space and Adjacent Patio (aka Estrella)

Docket 35

Tentative Ruling:

The courts in the Ninth Circuit have identified various factors relevant to determining whether the automatic stay should be lifted to allow a creditor to continue pending litigation in a non-bankruptcy forum pursuant to 11 U.S.C. § 362(d)(1). *In re Plumberex Specialty Products, Inc.*, 311 B.R. 551, 557-561 (Bankr. C.D. Cal. 2004), *citing inter alia*, *In re Curtis*, 40 B.R. 795, 799-800 (Bankr. D. Utah 1984). As stated by the court in *Plumberex*, these factors are closely related to those that a bankruptcy court must consider in deciding to exercise permissive abstention under 28 U.S.C. §1334(c)(1). 311 B.R. at 558 and n. 13, *citing inter alia*, *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1167 (9th Cir. 1990). The twelve permissive abstention/stay relief factors set forth by the Ninth Circuit in *Tucson Estates* which this court normally considers are:

1. The effect or lack thereof on the efficient administration of the estate if a court recommends remand. This factor does not favor stay relief. Debtor's lease is one of the primary assets of its estate, and the leased premises are Debtor's principal place of business where most of its assets are located. Debtor intends to file a motion to assume the lease under 11 U.S.C. §365, which will have a major impact on Debtor's prospects for reorganization in this case, and in order for the court to determine the lease assumption motion, the court will have to make the determinations of the not yet judicially determined issues of state law of the validity of the lease termination by Landlord and any claim of relief from lease forfeiture by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT... 8800 LLC

Chapter 11

Debtor, which are intertwined with the lease assumption motion issues. *In re Art and Architecture Books of the 21st Century*, No. 2:13-bk-14135-RK Chapter 11 (Bankr. C.D. Cal., statement of decision filed on April 15, 2013), citing, *In re Turbowind, Inc.*, 42 B.R. 579, 583 (Bankr. S.D. Cal. 1984). This bankruptcy court has authority to decide the state law issues of validity of lease termination and lease forfeiture relief. *Id.*, citing, *In re Windmill Farms, Inc.*, 841 F.2d 1467, 1468-1474 (9th Cir. 1988); see also, *Matter of Escondido West Travelodge*, 52 B.R. 376, 382 (S.D. Cal. 1985). The Landlord's unlawful detainer action for which stay relief is sought concerns the estate's leasehold interest, and Debtor's ability to assume the lease and continue its business operations would be affected by the outcome of that action.

2. The extent to which state law issues predominate over bankruptcy issues. This factor favors stay relief because the removed unlawful detainer action of Landlord was initially filed in state court and is based on a state law claim, though Debtor plans to litigate bankruptcy claims under to 11 U.S.C. §§ 365, 541, 547 and 548 related to Landlord's state law claim.

3. The difficulty or unsettled nature of the applicable law. This factor is neutral because the Landlord's unlawful detainer action does not involve law which is difficult or unsettled in nature.

4. The presence of a related proceeding commenced in state court or other non-bankruptcy court. This factor favors stay relief because Landlord's unlawful detainer action was filed in state court and a trial date was set in that action, though the court notes Debtor's argument that there are no longer proceedings in state court due to the removal. *Security Farms v. International Brotherhood of Teamsters, etc.*, 124 F.3d 999, 1010 (9th Cir. 1997).

5. The jurisdictional basis, if any, other than 28 U.S.C. § 1334. This factor favors stay relief because Landlord's unlawful detainer is noncore. The Ninth Circuit observed that if a proceeding does not invoke a substantive right created by federal bankruptcy law and if it could exist outside of bankruptcy, it is noncore. *In re Eastport Associates*, 935 F.2d 1071, 1076 (9th Cir. 1991). (Landlord has not filed a proof of claim which would be a core proceeding

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT...

8800 LLC

Chapter 11

relating to the same substantive claim. *In re Thorpe Insulation Co.*, 671 F.3d 1011, 1021 (9th Cir. 2012). *See also, Schultze v. Chandler*, 765 F.3d 945, 950-951 (9th Cir. 2014)(state law claim against estate professional arising in case under Bankruptcy Code was core proceeding)). Landlord's unlawful detainer action could exist outside of bankruptcy, and are thus noncore, and thus, the court exercises only its "related to" jurisdiction under 28 U.S.C. § 1334 to determine Debtor's motion to assume the lease pursuant to 11 U.S.C. § 365 and its claims pursuant to 11 U.S.C. §§ 541, 547 and 548.

6. The degree of relatedness or remoteness of the proceeding to the main bankruptcy case. This factor does not favor stay relief because if Debtor is not able to assume the lease, Debtor will not be able to reorganize.

7. The substance rather than form of an asserted "core" proceeding. This factor favors stay relief. Landlord's unlawful detainer action as stated above is noncore. However, as also noted above, the outcome of the unlawful detainer action which is related to the lease will have substantial impact on the outcome of Debtor's efforts to reorganize in this Chapter 11 bankruptcy case.

8. The feasibility of severing state law claims from core bankruptcy matters to allow judgments to be entered in state court with enforcement left to the bankruptcy court. This factor does not favor stay relief because the unlawful detainer action and the bankruptcy law matter of lease assumption are interrelated.

9. The burden on the bankruptcy court's docket. This factor is neutral.

10. The likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties. This factor favors stay relief because arguably, Debtor is engaging in forum shopping because that it removed the unlawful detainer action to this court after a trial was set in state court in that action.

11. The existence of a right to a jury trial. This factor does not favor stay relief. Landlord does not have a right to jury trial on its unlawful detainer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT... 8800 LLC

Chapter 11

action or on Debtor's intended lease assumption motion.

12. The presence in the proceeding of nondebtor parties. This factor does not favor stay relief since Debtor and Landlord are the only parties involved in these actions.

In weighing the various stay relief factors, the court is inclined to deny the remand motions under the circumstances of this case because the resolution of the unlawful detainer action will substantially impact Debtor's ability to effectively reorganize and that litigation of the removed action and related bankruptcy claims of lease assumption and transfer avoidance can and should be litigated in a single forum to effectuate the purposes of the Bankruptcy Code which include "[c]entralization of disputes concerning a debtor's legal obligations" and "protecting creditors and reorganizing debtors from piecemeal litigation." *In re Thorpe Insulation Co.*, 671 F.3d at 1022-1023.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

2:18-17263 8800 LLC

Chapter 11

#9.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/22/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/10/18. No tentative ruling on the merits.
Appearances are required on 9/12/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 8/22/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01236 8800 LLC v. TMC Realty, L.L.C.

#10.00 Hearing re: Motion to remand adversary proceeding

Docket 15

Tentative Ruling:

28 U.S.C. § 1452(b) provides that "[t]he court to which such claim or cause of action is removed may remand such claim or cause of action on any equitable ground." 28 U.S.C. § 1452(b). This standard is "an unusually broad grant of authority" which allows for remand for reasons beyond those typical of non-bankruptcy removal statutes. *In re McCarthy*, 230 B.R. 414, 417 (9th Cir. BAP 1999). Bankruptcy courts may consider up to fourteen factors in deciding whether to remand an action to the non-bankruptcy forum pursuant to 28 U.S.C. § 1452(b). *In re Cedar Funding, Inc.*, 419 B.R. 807, 820-821 and n.18 (9th Cir. BAP 2009), citing *In re Enron Corp.*, 296 B.R. 505, 508 n.2 (C.D. Cal. 2003); *In re Cytodyn of New Mexico, Inc.*, 374 B.R. 733, 738 (Bankr. C.D. Cal. 2007). The fourteen equitable remand factors are:

1. The effect or lack thereof on the efficient administration of the estate if a court recommends remand. This factor does not favor remand. Debtor's lease is one of the primary assets of its estate, and the leased premises are Debtor's principal place of business where most of its assets are located. Debtor intends to file a motion to assume the lease under 11 U.S.C. §365, which will have a major impact on Debtor's prospects for reorganization in this case, and in order for the court to determine the lease assumption motion, the court will have to make the determinations of the not yet judicially determined issues of state law of the validity of the lease termination by Landlord and any claim of relief from lease forfeiture by Debtor, which are intertwined with the lease assumption motion issues. *In re Art and Architecture Books of the 21st Century*, No. 2:13-bk-14135-RK Chapter 11 (Bankr. C.D. Cal., statement of decision filed on April 15, 2013), citing, *In re Turbowind, Inc.*, 42 B.R. 579, 583 (Bankr. S.D. Cal. 1984). This bankruptcy court has authority to decide the state law issues of validity of lease termination and lease forfeiture relief. *Id.*, citing, *In re Windmill Farms*,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT...

8800 LLC

Chapter 11

Inc., 841 F.2d 1467, 1468-1474 (9th Cir. 1988); *see also*, *Matter of Escondido West Travelodge*, 52 B.R. 376, 382 (S.D. Cal. 1985). The removed Landlord's unlawful detainer action and Debtor's breach of lease action concern the estate's leasehold interest, and Debtor's ability to assume the lease and continue its business operations will be dependent on the outcome of these actions.

2. The extent to which state law issues predominate over bankruptcy issues. This factor favors remand because the removed unlawful detainer and breach of lease actions were initially filed in state court and are based on state law claims, though Debtor plans to litigate bankruptcy claims under to 11 U.S.C. §§ 365, 541, 547 and 548 related to these state law claims.

3. The difficulty or unsettled nature of the applicable law. This factor is neutral because the removed actions do not involve law which is difficult or unsettled in nature.

4. The presence of a related proceeding commenced in state court or other non-bankruptcy court. This factor favors remand because both removed actions were filed in state court and a trial date was set in the unlawful detainer action, though the court notes Debtor's argument that there are no longer proceedings in state court due to the removal. *Security Farms v. International Brotherhood of Teamsters, etc.*, 124 F.3d 999, 1010 (9th Cir. 1997).

5. The jurisdictional basis, if any, other than 28 U.S.C. § 1334. This factor favors remand because the removed actions are noncore. The Ninth Circuit observed that if a proceeding does not invoke a substantive right created by federal bankruptcy law and if it could exist outside of bankruptcy, it is noncore. *In re Eastport Associates*, 935 F.2d 1071, 1076 (9th Cir. 1991). (Landlord has not filed a proof of claim which would be a core proceeding relating to the same substantive claim. *In re Thorpe Insulation Co.*, 671 F.3d 1011, 1021 (9th Cir. 2012). *See also*, *Schultze v. Chandler*, 765 F.3d 945, 950-951 (9th Cir. 2014)(state law claim against estate professional arising in case under Bankruptcy Code was core proceeding)). Both removed actions could exist outside of bankruptcy, and are thus noncore, and thus, the court

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT...

8800 LLC

Chapter 11

exercises only its "related to" jurisdiction under 28 U.S.C. §1334 to determine Debtor's motion to assume the lease pursuant to 11 U.S.C. § 365 and its claims pursuant to 11 U.S.C. §§ 541, 547 and 548.

6. The degree of relatedness or remoteness of the proceeding to the main bankruptcy case. This factor does not favor remand because if Debtor is not able to assume the lease, Debtor will not be able to reorganize.

7. The substance rather than form of an asserted "core" proceeding. This factor favors remand. While arguably state law contract claims fall within the catch-all provisions of 28 U.S.C. § 157(b)(2)(O) to be considered "non-core" related proceedings under 11 U.S.C. § 157(c), *In re Castlerock Properties*, 781 F.2d 159, 162 (9th Cir. 1986), the removed actions as stated above are noncore. However, as also noted above, the outcome of the removed actions which are related to the lease will have substantial impact on the outcome of Debtor's efforts to reorganize in this Chapter 11 bankruptcy case.

8. The feasibility of severing state law claims from core bankruptcy matters to allow judgments to be entered in state court with enforcement left to the bankruptcy court. This factor does not favor remand because the state law claims and the bankruptcy law matter of lease assumption are interrelated.

9. The burden on the bankruptcy court's docket. This factor is neutral.

10. The likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties. This factor favors remand because arguably, Debtor is engaging in forum shopping because that it removed the actions from state court to this court after a trial was set in state court in Landlord's unlawful detainer action.

11. The existence of a right to a jury trial. This factor is mixed, but on the whole does not favor remand. Landlord does not have a right to jury trial on its unlawful detainer action or on Debtor's intended lease assumption motion. Landlord probably has a right to a jury trial on Debtor's breach of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT... 8800 LLC

Chapter 11

lease action against it, but Landlord can exercise any rights to a jury trial in that action pursuant to Fed. R. Bankr. P. 9015 and Fed. R. Civ. P. 38(b).

12. The presence in the proceeding of nondebtor parties. This factor does not favor remand since Debtor and Landlord are the only parties involved in these actions.

13. Comity. This factor favors remand. Allowing state courts to adjudicate state law claims, as the Ninth Circuit Bankruptcy Appellate Panel has indicated that "[n]eedless decisions of state law by federal courts should be avoided as a matter of comity . . . in order to procure for the litigants 'a surer-footed reading of applicable law.'" *In re Casamont Investors, Ltd.*, 196 B.R. 517, 524 (9th Cir. BAP 1996), citing *United Mine Workers v. Gibbs*, 383 U.S. 715, 726 (1966).

14. The possibility of prejudice to other parties in the action. This factor does not favor remand. There will be no prejudice to other parties because the issues relating to the lease in both actions can be litigated in the bankruptcy court.

In weighing the various equitable remand factors, the court is inclined to deny the remand motions under the circumstances of this case because the resolution of the claims will substantially impact Debtor's ability to effectively reorganize and that litigation of the removed actions and related bankruptcy claims of lease assumption and transfer avoidance can and should be litigated in a single forum to effectuate the purposes of the Bankruptcy Code which include "[c]entralization of disputes concerning a debtor's legal obligations" and "protecting creditors and reorganizing debtors from piecemeal litigation." *In re Thorpe Insulation Co.*, 671 F.3d at 1022-1023.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT... 8800 LLC

Chapter 11

Martin J Brill

Defendant(s):

TMC Realty, L.L.C.

Represented By
Carl Grumer
Ivan L Kallick

Plaintiff(s):

8800 LLC

Represented By
Martin J Brill
Jeffrey S Kwong
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01236 8800 LLC v. TMC Realty, L.L.C.

#11.00 Cont'd status conference re: Removal Of Civil Action Under 28 U.S.C. § 1452(a)
fr. 8/28/18

Docket 1

Tentative Ruling:

No tentative ruling as of 9/10/18. Appearances are required on 9/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

Defendant(s):

TMC Realty, L.L.C.

Pro Se

Plaintiff(s):

8800 LLC

Represented By
Martin J Brill
Jeffrey S Kwong
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01237 TMC Realty, LLC v. 8800 Sunset LLC et al

#12.00 Hearing re: Motion to remand adversary proceeding

Docket 12

Tentative Ruling:

28 U.S.C. § 1452(b) provides that "[t]he court to which such claim or cause of action is removed may remand such claim or cause of action on any equitable ground." 28 U.S.C. § 1452(b). This standard is "an unusually broad grant of authority" which allows for remand for reasons beyond those typical of non-bankruptcy removal statutes. *In re McCarthy*, 230 B.R. 414, 417 (9th Cir. BAP 1999). Bankruptcy courts may consider up to fourteen factors in deciding whether to remand an action to the non-bankruptcy forum pursuant to 28 U.S.C. § 1452(b). *In re Cedar Funding, Inc.*, 419 B.R. 807, 820-821 and n.18 (9th Cir. BAP 2009), citing *In re Enron Corp.*, 296 B.R. 505, 508 n.2 (C.D. Cal. 2003); *In re Cytodyn of New Mexico, Inc.*, 374 B.R. 733, 738 (Bankr. C.D. Cal. 2007). The fourteen equitable remand factors are:

1. The effect or lack thereof on the efficient administration of the estate if a court recommends remand. This factor does not favor remand. Debtor's lease is one of the primary assets of its estate, and the leased premises are Debtor's principal place of business where most of its assets are located. Debtor intends to file a motion to assume the lease under 11 U.S.C. §365, which will have a major impact on Debtor's prospects for reorganization in this case, and in order for the court to determine the lease assumption motion, the court will have to make the determinations of the not yet judicially determined issues of state law of the validity of the lease termination by Landlord and any claim of relief from lease forfeiture by Debtor, which are intertwined with the lease assumption motion issues. *In re Art and Architecture Books of the 21st Century*, No. 2:13-bk-14135-RK Chapter 11 (Bankr. C.D. Cal., statement of decision filed on April 15, 2013), citing, *In re Turbowind, Inc.*, 42 B.R. 579, 583 (Bankr. S.D. Cal. 1984). This bankruptcy court has authority to decide the state law issues of validity of lease termination and lease forfeiture relief. *Id.*, citing, *In re Windmill Farms*,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT...

8800 LLC

Chapter 11

Inc., 841 F.2d 1467, 1468-1474 (9th Cir. 1988); *see also*, *Matter of Escondido West Travelodge*, 52 B.R. 376, 382 (S.D. Cal. 1985). The removed Landlord's unlawful detainer action and Debtor's breach of lease action concern the estate's leasehold interest, and Debtor's ability to assume the lease and continue its business operations will be dependent on the outcome of these actions.

2. The extent to which state law issues predominate over bankruptcy issues. This factor favors remand because the removed unlawful detainer and breach of lease actions were initially filed in state court and are based on state law claims, though Debtor plans to litigate bankruptcy claims under to 11 U.S.C. §§ 365, 541, 547 and 548 related to these state law claims.

3. The difficulty or unsettled nature of the applicable law. This factor is neutral because the removed actions do not involve law which is difficult or unsettled in nature.

4. The presence of a related proceeding commenced in state court or other non-bankruptcy court. This factor favors remand because both removed actions were filed in state court and a trial date was set in the unlawful detainer action, though the court notes Debtor's argument that there are no longer proceedings in state court due to the removal. *Security Farms v. International Brotherhood of Teamsters, etc.*, 124 F.3d 999, 1010 (9th Cir. 1997).

5. The jurisdictional basis, if any, other than 28 U.S.C. § 1334. This factor favors remand because the removed actions are noncore. The Ninth Circuit observed that if a proceeding does not invoke a substantive right created by federal bankruptcy law and if it could exist outside of bankruptcy, it is noncore. *In re Eastport Associates*, 935 F.2d 1071, 1076 (9th Cir. 1991). (Landlord has not filed a proof of claim which would be a core proceeding relating to the same substantive claim. *In re Thorpe Insulation Co.*, 671 F.3d 1011, 1021 (9th Cir. 2012). *See also*, *Schultze v. Chandler*, 765 F.3d 945, 950-951 (9th Cir. 2014)(state law claim against estate professional arising in case under Bankruptcy Code was core proceeding)). Both removed actions could exist outside of bankruptcy, and are thus noncore, and thus, the court

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT...

8800 LLC

Chapter 11

exercises only its "related to" jurisdiction under 28 U.S.C. §1334 to determine Debtor's motion to assume the lease pursuant to 11 U.S.C. § 365 and its claims pursuant to 11 U.S.C. §§ 541, 547 and 548.

6. The degree of relatedness or remoteness of the proceeding to the main bankruptcy case. This factor does not favor remand because if Debtor is not able to assume the lease, Debtor will not be able to reorganize.

7. The substance rather than form of an asserted "core" proceeding. This factor favors remand. While arguably state law contract claims fall within the catch-all provisions of 28 U.S.C. § 157(b)(2)(O) to be considered "non-core" related proceedings under 11 U.S.C. § 157(c), *In re Castlerock Properties*, 781 F.2d 159, 162 (9th Cir. 1986), the removed actions as stated above are noncore. However, as also noted above, the outcome of the removed actions which are related to the lease will have substantial impact on the outcome of Debtor's efforts to reorganize in this Chapter 11 bankruptcy case.

8. The feasibility of severing state law claims from core bankruptcy matters to allow judgments to be entered in state court with enforcement left to the bankruptcy court. This factor does not favor remand because the state law claims and the bankruptcy law matter of lease assumption are interrelated.

9. The burden on the bankruptcy court's docket. This factor is neutral.

10. The likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties. This factor favors remand because arguably, Debtor is engaging in forum shopping because that it removed the actions from state court to this court after a trial was set in state court in Landlord's unlawful detainer action.

11. The existence of a right to a jury trial. This factor is mixed, but on the whole does not favor remand. Landlord does not have a right to jury trial on its unlawful detainer action or on Debtor's intended lease assumption motion. Landlord probably has a right to a jury trial on Debtor's breach of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT... 8800 LLC

Chapter 11

lease action against it, but Landlord can exercise any rights to a jury trial in that action pursuant to Fed. R. Bankr. P. 9015 and Fed. R. Civ. P. 38(b).

12. The presence in the proceeding of nondebtor parties. This factor does not favor remand since Debtor and Landlord are the only parties involved in these actions.

13. Comity. This factor favors remand. Allowing state courts to adjudicate state law claims, as the Ninth Circuit Bankruptcy Appellate Panel has indicated that "[n]eedless decisions of state law by federal courts should be avoided as a matter of comity . . . in order to procure for the litigants 'a surer-footed reading of applicable law.'" *In re Casamont Investors, Ltd.*, 196 B.R. 517, 524 (9th Cir. BAP 1996), citing *United Mine Workers v. Gibbs*, 383 U.S. 715, 726 (1966).

14. The possibility of prejudice to other parties in the action. This factor does not favor remand. There will be no prejudice to other parties because the issues relating to the lease in both actions can be litigated in the bankruptcy court.

In weighing the various equitable remand factors, the court is inclined to deny the remand motions under the circumstances of this case because the resolution of the claims will substantially impact Debtor's ability to effectively reorganize and that litigation of the removed actions and related bankruptcy claims of lease assumption and transfer avoidance can and should be litigated in a single forum to effectuate the purposes of the Bankruptcy Code which include "[c]entralization of disputes concerning a debtor's legal obligations" and "protecting creditors and reorganizing debtors from piecemeal litigation." *In re Thorpe Insulation Co.*, 671 F.3d at 1022-1023.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

CONT... 8800 LLC

Chapter 11

Martin J Brill

Defendant(s):

8800 Sunset LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

8800 LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

Plaintiff(s):

TMC Realty, LLC

Represented By
Carl Grumer
Ivan L Kallick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01237 TMC Realty, LLC v. 8800 Sunset LLC et al

#13.00 Cont'd status conference re: Removal Of Civil Action Under 28 U.S.C. § 1452(a)
fr. 8/28/18

Docket 1

Tentative Ruling:

No tentative ruling as of 9/10/18. Appearances are required on 9/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

Defendant(s):

8800 Sunset LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

8800 LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

Plaintiff(s):

TMC Realty, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

1:30 PM

2:18-18999 John Donald Marshall

Chapter 7

#14.00 Order to show cause re debtor's failure to file Certificate of Credit Counseling

Docket 10

Tentative Ruling:

No tentative ruling as of 9/10/18. While debtor has filed a certificate of completion of financial management course, he still has not filed a certification of completion of credit counseling, which is a separate requirement. Appearances are required on 9/11/18.

Party Information

Debtor(s):

John Donald Marshall

Pro Se

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:00 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#15.00 Cont'd hearing re: Motion to dismiss
fr. 5/15/18, 5/29/18, 8/7/18

Docket 23

***** VACATED *** REASON: Cont'd from 9/11/18 to 10/9/18 at 2:30 p.m.
per order entered on 9/6/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 9/10/18. Off calendar. The hearing is continued on the court's own motion by prior order to 10/9/18 at 2:30 p.m. No appearances are required on 9/11/18.

Prior tentative ruling as of 8/6/18. No tentative ruling on the merits. Appearances are required on 8/7/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. Off calendar. Continued by prior order to 5/29/18 at 2:30 p.m. to be conducted with hearing on plaintiff's motion to substitute party. No appearances are required on 5/15/18.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/12/17. No tentative ruling on the merits. Appearances are required on 6/13/17, but counsel may appear by telephone.

Updated tentative ruling as of 1/30/17. The parties should appear telephonically to discuss the impact of the pending related state court action on this adversary proceeding, that is, whether the proceedings in this matter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:00 PM

CONT...

Gary Moll

Chapter 7

should be stayed pending the resolution of plaintiff's claims in state court. Appearances are required on 1/31/17, but counsel and plaintiff representing himself may appear by telephone.

Prior tentative ruling as of 10/3/16. Since plaintiff is pursuing liquidation of his substantive claims in state court litigation and the court would stay the proceedings in this court until the state court litigation is completed, the court would deny the motion without prejudice. Appearances are required on 10/4/16, but counsel and self-represented parties may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits. Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the state court's order for dismissal without prejudice of the malpractice action in that court. It appears that the court should refer the case to the United States District Court because of the claim for personal injury damages must be determined by that court, which claim is intertwined with the dischargeability action. Alternatively, the court could abstain, allow plaintiff to refile the malpractice action in state court and not refer the case to the District Court. Appearances are required on 9/13/16, but the parties may appear by telephone.

Prior tentative ruling as of 8/22/16. No tentative ruling on the merits. The parties should address the court's request for clarification of dismissal order for the state court malpractice case and possible referral of case to the United States District Court because of the claim for personal injury damages. Appearances are required on 8/23/16, but counsel may appear by telephone.

No tentative ruling as of 8/8/16. Appearances are required on 8/9/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Gary Moll

Represented By
Ilyse Klavir
Gary E Moll

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:00 PM

CONT... Gary Moll

Chapter 7

Defendant(s):

Gary E Moll

Represented By
Ilyse Klavir
Gary E Moll

Gary E Moll and Associates

Represented By
Ilyse Klavir
Gary E Moll

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:00 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#16.00 Cont'd status conference re: Complaint for dischargeability 11 U.S.C. §523(a)(2), false pretenses, false representation, actual fraud and dischargeability; 11 U.S.C. §523(a)(6), willful and malicious injury; verification fr. 5/15/18, 5/29/18, 8/7/18

Docket 1

***** VACATED *** REASON: Cont'd from 9/11/18 to 10/9/18 at 2:30 p.m.
per order entered on 9/6/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 9/10/18. Off calendar. The status conference is continued on the court's own motion by prior order to 10/9/18 at 2:30 p.m. No appearances are required on 9/11/18.

Prior tentative ruling as of 8/6/18. No tentative ruling on the merits. Appearances are required on 8/7/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/7/18. Off calendar. Continued by prior order to 5/29/18 at 2:30 p.m. to be conducted with hearing on plaintiff's motion to substitute party. No appearances are required on 5/15/18.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/30/17. The parties should appear telephonically to discuss the impact of the pending related state court action on this

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:00 PM

CONT...

Gary Moll

Chapter 7

adversary proceeding, that is, whether the proceedings in this matter should be stayed pending the resolution of plaintiff's claims in state court.

Appearances are required on 1/31/17, but counsel and plaintiff representing himself may appear by telephone.

Prior tentative ruling as of 10/3/16. Since plaintiff is pursuing liquidation of his substantive claims in state court litigation, and the court would stay the proceedings in this court until the state court litigation is completed.

Appearances are required on 10/4/16, but counsel and self-represented parties may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits.

Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the state court's order for dismissal without prejudice of the malpractice action in that court. It appears that the court should refer the case to the United States District Court because of the claim for personal injury damages must be determined by that court, which claim is intertwined with the dischargeability action.

Alternatively, the court could abstain, allow plaintiff to refile the malpractice action in state court and not refer the case to the District Court. Appearances are required on 9/13/16, but the parties may appear by telephone.

Prior tentative ruling as of 8/22/16. No tentative ruling on the merits. The parties should address the court's request for clarification of dismissal order for the state court malpractice case and possible referral of case to the United States District Court because of the claim for personal injury damages.

Appearances are required on 8/23/16, but counsel may appear by telephone.

Prior tentative ruling as of 8/8/16. No tentative ruling on the merits.

Appearances are required on 8/9/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. Off calendar. The court noting that defendant has noticed a hearing on his motion to dismiss the first amended complaint on 8/9/16 at 3:30 p.m., the court continues on its own motion the status conference on 7/19/16 at 1:30 p.m. to the date and time of the hearing on defendant's motion to dismiss the first amended complaint on 8/9/16 at

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:00 PM

CONT... Gary Moll

Chapter 7

3:30 p.m. No appearances are required on 7/19/16.

Prior tentative ruling. The status conference will be heard at 3:00 p.m. with the hearing on defendant's motion to dismiss. Appearances are required on 3:00 p.m. calendar, not the 1:30 p.m. calendar. No tentative ruling on the merits for the status conference.

Party Information

Debtor(s):

Gary Moll

Represented By
Ilyse Klavir

Defendant(s):

Gary E Moll

Represented By
Ilyse Klavir

Gary E Moll and Associates

Represented By
Ilyse Klavir

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

Howard M Ehrenberg (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:00 PM

2:16-26310 Jong Kyu Cha

Chapter 7

Adv#: 2:17-01201 Hanin Federal Credit Union v. Cha

#17.00 Status conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(2)(A) and (B), 11 U.S.C. 523(a)(4) and 11 U.S.C. §523(a)(6) fr. 10/24/17, 1/30/18, 6/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/10/18. No tentative ruling on the merits. Appearances are required on 9/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/6/18. Counsel for plaintiff filed a notice of settlement on 5/29/18, but no dispositive stipulation for dismissal or judgment based on the settlement has been filed with the court. No tentative ruling on the merits. Appearances are required on 8/7/18 to address why no joint pretrial stipulation has been filed or why a stipulation for dismissal or judgment has been filed, and why sanctions should not be imposed for failing to file a joint pretrial stipulation under LBR 7016-1, including dismissal for lack of prosecution, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Counsel for plaintiff filed a notice of settlement on 5/29/18. No tentative ruling on the merits. Appearances are required on 6/5/18 to confirm the proposed settlement, and if not, to address why no joint status report or pretrial stipulation has been filed, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. The court has reviewed the joint status report stating that the parties are actively negotiating settlement. No tentative ruling on the merits. Appearances are required on 1/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits. Appearances are required on 10/24/17.

Prior tentative ruling as of 10/6/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:00 PM

CONT... Jong Kyu Cha

Chapter 7

Appearances are required on 10/10/17.

Prior tentative ruling. The court has reviewed the joint status report and notes that the report does not state whether the parties had their LBR 7026-1 meeting of counsel. Appearances are required on 5/23/17.

Party Information

Debtor(s):

Jong Kyu Cha

Represented By
Jisoo Hwang

Defendant(s):

Jong Kyu Cha

Pro Se

Plaintiff(s):

Hanin Federal Credit Union

Represented By
Jiyoung Kym
Jiyoung Kym

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:00 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#17.10 Hearing re: Application to employ Terzian Law Group as attorney for debtor and debtor in possession

Docket 170

Tentative Ruling:

No tentative ruling will be issued for the application heard on shortened notice. Appearances are required on 9/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz
Tamar Terzian

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:30 PM

2:17-24369 Marvin Abel Sican Roca and Angelica Maria Rodriguez

Chapter 7

#18.00 Hearing re: Motion for order approving compromise controversy

Docket 37

Tentative Ruling:

Grant trustee's motion for order approving compromise of controversy for the reasons stated in the moving papers. Appearances are optional on 9/11/18, but counsel may appear by telephone. Trustee to submit a proposed order granting the motion within 7 days of hearing.

Party Information

Debtor(s):

Marvin Abel Sican Roca

Represented By
Daniel King

Joint Debtor(s):

Angelica Maria Rodriguez

Represented By
Daniel King

Trustee(s):

Wesley H Avery (TR)

Represented By
Zi Chao Lin

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:30 PM

2:18-11726 Masoud Fallah Moghadam

Chapter 7

Adv#: 2:18-01143 American Express National Bank v. Moghadam

#19.00 Hearing re: Plaintiff's motion for default judgment under LBR 7055-1

Docket 13

Tentative Ruling:

Grant plaintiff's motion for default judgment for the reasons stated in the moving papers. Appearances are optional on 9/11/18, but counsel may appear by telephone. Plaintiff to submit a proposed order granting the motion and a proposed judgment within 7 days of hearing.

Party Information

Debtor(s):

Masoud Fallah Moghadam Pro Se

Defendant(s):

Masoud Fallah Moghadam Pro Se

Plaintiff(s):

American Express National Bank Represented By
Dennis Winters

Trustee(s):

Brad D Krasnoff (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:30 PM

2:18-14134 Varduhi Badalyan

Chapter 7

#20.00 Hearing re: U.S. Trustee's motion seeking disgorgement of compensation from attorney Shakhgulyan pursuant to 11 U.S.C. Section 329

Docket 26

***** VACATED *** REASON: Per stip & order entered 8/24/18- st**

Tentative Ruling:

Off calendar. Hearing vacated by stipulation and order resolving the motion.
No appearances are required on 9/11/18.

Party Information

Debtor(s):

Varduhi Badalyan

Represented By
Ken Shakhgulyan

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:30 PM

2:18-15276 Michael Wayne Torres

Chapter 7

#21.00 Hearing re: Motion for redemption of 2016 Toyota Corolla under 11 U.S.C. 722

Docket 11

Tentative Ruling:

The court is inclined to grant debtor's motion to redeem personal property, but there is a procedural defect which needs to be fixed), the property to be redeemed is not listed on Schedule C as exempt property, 11 U.S.C. 522 and 722, nor is the property shown to be abandoned, 11 U.S.C. 522 and 554. Schedule C will have to be amended to claim the property as exempt. Appearances are required on 9/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Michael Wayne Torres

Represented By
Michael E Clark

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:30 PM

2:18-17263 8800 LLC

Chapter 11

#22.00 Cont'd hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)
fr. 7/31/18, 8/7/18

TMC Realty, LLC v. 8800 Sunset, LLC and 8800 LLC
LASC Case Number SC129282

Docket 34

***** VACATED *** REASON: Cont'd from 2:30 p.m. to 1:30 p.m. per
hearing held on 8/22/18-mb.**

Tentative Ruling:

The hearing on this matter will be conducted on the court's 1:30 p.m.
calendar. Appearances are required at 1:30 p.m.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:30 PM

2:18-17263 8800 LLC

Chapter 11

#23.00 Cont'd hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)
fr. 7/31/18, 8/7/18

8800 Sunset Boulevard
West Hollywood, California 90069
Ground Floor Restaurant Space and Adjacent Patio (aka Estrella)

Docket 35

***** VACATED *** REASON: Cont'd from 2:30 p.m. to 1:30 p.m. per
hearing held on 8/22/18-mb.**

Tentative Ruling:

The hearing on this matter will be conducted on the court's 1:30 p.m.
calendar. Appearances are required at 1:30 p.m.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:30 PM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01236 8800 LLC v. TMC Realty, L.L.C.

#24.00 Hearing re: Motion to remand adversary proceeding

Docket 15

***** VACATED *** REASON: Cont'd from 2:30 p.m. to 1:30 p.m. per
hearing held on 8/22/18-mb.**

Tentative Ruling:

The hearing on this matter will be conducted on the court's 1:30 p.m. calendar. Appearances are required at 1:30 p.m.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

Defendant(s):

TMC Realty, L.L.C.

Represented By
Carl Grumer
Ivan L Kallick

Plaintiff(s):

8800 LLC

Represented By
Martin J Brill
Jeffrey S Kwong
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:30 PM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01236 8800 LLC v. TMC Realty, L.L.C.

#25.00 Cont'd status conference re: Removal Of Civil Action Under 28 U.S.C. § 1452(a)
fr. 8/28/18

Docket 1

***** VACATED *** REASON: Cont'd from 2:30 p.m. to 1:30 p.m. per
hearing held on 8/22/18-mb.**

Tentative Ruling:

The hearing on this matter will be conducted on the court's 1:30 p.m.
calendar. Appearances are required at 1:30 p.m.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

Defendant(s):

TMC Realty, L.L.C.

Pro Se

Plaintiff(s):

8800 LLC

Represented By
Martin J Brill
Jeffrey S Kwong
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:30 PM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01237 TMC Realty, LLC v. 8800 Sunset LLC et al

#26.00 Hearing re: Motion to remand adversary proceeding

Docket 12

***** VACATED *** REASON: Cont'd from 2:30 p.m. to 1:30 p.m. per
hearing held on 8/22/18-mb.**

Tentative Ruling:

The hearing on this matter will be conducted on the court's 1:30 p.m. calendar. Appearances are required at 1:30 p.m.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

Defendant(s):

8800 Sunset LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

8800 LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

Plaintiff(s):

TMC Realty, LLC

Represented By
Carl Grumer
Ivan L Kallick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:30 PM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01237 TMC Realty, LLC v. 8800 Sunset LLC et al

#27.00 Cont'd status conference re: Removal Of Civil Action Under 28 U.S.C. § 1452(a)
fr. 8/28/18

Docket 1

***** VACATED *** REASON: Cont'd from 2:30 p.m. to 1:30 p.m. per
hearing held on 8/22/18-mb.**

Tentative Ruling:

The hearing on this matter will be conducted on the court's 1:30 p.m.
calendar. Appearances are required at 1:30 p.m.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

Defendant(s):

8800 Sunset LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

8800 LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

Plaintiff(s):

TMC Realty, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:30 PM

2:18-17575 Laura Palma

Chapter 7

#28.00 Hearing re: Motion for redemption of 2013 Nissan Versa under 11 U.S.C. 722

Docket 9

Tentative Ruling:

Deny debtor's motion to redeem personal property without prejudice because of procedural defects in motion: (1) the property to be redeemed is not listed on Schedules A/B, which lists a 2011 Nissan Versa with 91,000 miles whereas the motion for redemption lists a 2013 Nissan Versa with 81,000 miles (either the car to be redeemed is not listed on the schedules or the schedules are wrong and must be amended - movant needs to explain why the mileage is now less on the subsequently filed motion than on the schedules); (2) the property to be redeemed is not listed on Schedule C as exempt property, 11 U.S.C. 522 and 722, nor is the property shown to be abandoned, 11 U.S.C. 522 and 554; (3) the replacement value opinion of \$2,284 purportedly based on Edmunds.com, apparently unauthenticated hearsay, is not supported by competent admissible evidence of valuation - Craig Stone, the "redemption specialist", has not been shown to be a qualified valuation expert witness, whose valuation is based on scientifically validated valuation principles, and the same is true for debtor as the owner of the property, FRE 701, 702, 801 and 901. (The Edmunds.com valuation submitted indicates a private party sale value of \$3,466 for a 2013 Nissan Versa in average condition, which may approximate the replacement value of the car.). Appearances are required on 9/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Laura Palma

Represented By
Michael E Clark

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 11, 2018

Hearing Room 1675

2:30 PM

2:18-20157 John Fredrick Hubbard and Barbara Joyce Harris

Chapter 7

#29.00 Hearing re: Application to pay filing fee in installments

Docket 7

***** VACATED *** REASON: Granted per order entered on 9/4/18-mb.**

Tentative Ruling:

Off calendar. Motion granted on the papers on 9/4/18. No appearances are necessary.

Party Information

Debtor(s):

John Fredrick Hubbard	Pro Se
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Joint Debtor(s):

Barbara Joyce Harris	Pro Se
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Trustee(s):

Edward M Wolkowitz (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 12, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

Adv#: 2:15-01679

THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

- #1.00** Cont'd status conference re: Complaint for: (1) Avoidance, recovery, and preservation of fraudulent transfers; (2) Avoidance, recovery, and preservation of preferential transfers; (3) Turnover of property; (4) Avoidance and recovery of transfers; (5) Avoidance and recovery of post-petition transfers to defendant ACE Gallery New York Corporation; and (6) Disallowance of claims fr. 4/4/18, 6/6/18, 8/8/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/10/18. Appearances are required on 9/12/18, but counsel may appear by telephone. No tentative ruling on the state of discovery, except regarding 400 S. La Brea, LLC's submission of documents for *in camera* review:

Document	Tentative Ruling
400 S. La Brea, LLC's 2015 Balance Sheet	Deny disclosure. Submission includes confidential commercial information, the disclosure of which would impose a burden on 400 S. La Brea that outweighs any benefit to the Plaintiff because the information is irrelevant to Plaintiff's claim. See Fed. R. Civ. P. 26(b)(1), 45(d)(3)(B)(i).
400 S. La Brea, LLC's 2016 Balance Sheet	
400 S. La Brea, LLC's 2016 Income Statement	
400 S. La Brea, LLC's 2016 Federal and State Tax Returns	
2012 Appraisal of the Subject Property	Order disclosure, subject to redaction of "confidential commercial information."
2013 Appraisal of the Subject Property	

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 12, 2018

Hearing Room 1675

10:00 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

2017 Appraisal of the Subject Property Technical Review of the 2017 Appraisal of the Subject Property	Deny disclosure. Submission includes confidential commercial information, the disclosure of which would impose a burden on 400 S. La Brea that outweighs any benefit to the Plaintiff because the information is irrelevant to Plaintiff's claim. See Fed. R. Civ. P. 26(b)(1), 45(d)(3)(B)(i). The 2017 documents are irrelevant because they postdate the subject lease term.
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Prior tentative ruling as of 4/2/18. No tentative ruling on the merits. Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits. Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

No updated tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/13/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings in light of the anticipated

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 12, 2018

Hearing Room 1675

10:00 AM

CONT... **Art and Architecture Books of the 21st Century** **Chapter 11**
motion to consolidate related actions, but counsel may appear by telephone.

Prior tentative ruling as of 6/20/16. No tentative ruling on the merits.
Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/25/16. Off calendar. The court has reviewed plan agent's unilateral status report stating that the deadline for defendant's response was extended to 4/29/16 and that the matter is not yet at issue, and the court on its own motion continues the status conference to 6/21/16 at 1:30 p.m. pending defendant's response to the complaint. No appearances are required on 4/26/16.

No tentative ruling as of 2/22/16. Appearances are required on 2/23/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Ron Bender
Beth Ann R Young
Krikor J Meshefejian
Kurt Ramlo
David W. Meadows

Defendant(s):

Ace Gallery New York Corporation,

Pro Se

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 12, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#2.00 Hearing re: Motion for approval of compromise of controversy regarding claims for relief that are property of the estate

Docket 232

Tentative Ruling:

Deny without prejudice for lack of sufficient notice since not all creditors on the case mailing matrix were served as required by FRBP 9019, 2002 and 9013, including AEC Logistics Corp., BMW Financial Services NA, LLC, Flacco Truck Repair, Internal Revenue Service, Los Angeles County Treasurer and Tax Collector, Nissan and Wells Fargo Financial Leasing Inc., and some creditors were served, but not at all addresses indicated on the mailing matrix. Debtor needs to serve creditors at all of the addresses indicated on the mailing matrix, absent an adequate evidentiary showing that its service list is completely accurate.

The court agrees with debtor that the creditors opposing the motion have not addressed the factors in *In re A & C Properties*, 784 F.2d 1377, 1381 (9th Cir. 1986), that is, the probability of success in the litigation, the difficulties, if any, to be encouraged in the matter of collection, the complexity of the litigation involved, and the expense, inconvenience and delay necessarily attending it and the paramount interest of the creditors and a proper deference to their reasonable views. The objecting creditors merely argue that without discovery, it is premature and not reasonable to evaluate the settlement at this time, and the settlement presents negligible and/or insignificant benefit to the creditors as a whole. These arguments do not address the arguments raised by the motion that the settlement is fair and equitable, given the hazards and cost of the litigation and that the settlement provides value to the estate, which has not been shown to be greater otherwise if the case is not settled, that is, the objecting creditors have not shown that there would be any greater benefit to the estate and creditors through litigation. Saying the settlement is of negligible and/or insignificant benefit does not show that there is a better alternative.

Appearances are required on 9/12/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 12, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 12, 2018

Hearing Room 1675

1:30 PM

2:16-18163 Anthony Curtis Wells
Adv#: 2:16-01341 Dumas v. Wells

Chapter 7

#3.00 Hearing re: Motion for summary judgment or partial summary judgment

Docket 24

***** VACATED *** REASON: Cont'd from 9/12/18 to 11/7/18 at 2:00 p.m.
per order entered on 9/10/18-mb.**

Tentative Ruling:

Off calendar. Continued on the court's own motion by separate order to 11/7/18 at 2:00 p.m. No appearances are required on 9/12/18.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Plaintiff(s):

Jose L. Dumas

Represented By
John Clark Brown Jr
Gary A Laff

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest
John Clark Brown Jr

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 12, 2018

Hearing Room 1675

1:30 PM

2:16-18163 Anthony Curtis Wells
Adv#: 2:16-01341 Dumas v. Wells

Chapter 7

#4.00 Cont'd status conference re: Complaint for nondischargeability of debt
(USC §523(a)(2)(A)(6))
fr. 9/26/17, 2/20/18, 5/22/18

Docket 1

***** VACATED *** REASON: Cont'd from 9/12/18 to 11/7/18 at 2:00 p.m.
per order entered on 9/10/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 9/10/18. Off calendar. Continued on the court's own motion by separate order to 11/7/18 at 2:00 p.m. No appearances are required on 9/12/18.

Prior tentative ruling as of 5/21/18. The court has reviewed the joint status report reporting the affirmance of the state court judgment in favor of plaintiff and against defendant. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. Off calendar. The court has reviewed the joint status report suggesting that the status conference be continued to May 2018 in light of the pending appeal in the related state court litigation where oral argument is estimated to be scheduled that month. The court on its own motion continues the status conference to 5/22/18 at 1:30 p.m. No appearances are required on 2/20/18.

Prior tentative ruling as 9/25/17. Off calendar. The court has reviewed the joint status report stating that the related state court appellate proceedings are still pending and that the status conference should be continued to February 2018. The court on its own motion continues the status conference to 2/20/18 at 1:30 p.m. Counsel for plaintiff is ordered to file and serve a notice of continuance of status conference. No appearances are required on 9/26/17.

Prior tentative ruling as 5/26/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 12, 2018

Hearing Room 1675

1:30 PM

CONT... Anthony Curtis Wells

Chapter 7

Appearances are required on 5/30/17 to update the status of the state appellate proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/27/17. The status conference will be delayed to 2:00 p.m. because the court has a commitment offsite at the lunch hour. The court has reviewed the joint status report discussing the status of the related proceedings before the state appellate court and requesting a continuance of the status conference pending the decision of the state appellate court. The court on its own motion continues the status conference to 9/26/17 at 1:30 p.m. and orders the parties to file a further joint status report by 9/19/17. No appearances are required on 3/28/17.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/4/16 to discuss scheduling of mediation and trial, and the arrangements for a stay of this adversary proceeding pending appellate review of judgment in related state court litigation, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Anthony Curtis Wells

Pro Se

Plaintiff(s):

Jose L. Dumas

Represented By
John Clark Brown Jr

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, September 13, 2018

Hearing Room 1675

4:00 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#1.00 Emergency hearing re: Ex parte application to continue the evidentiary hearings re: motion of Second Generation, Inc. for order converting the case to chapter 7 or, in the alternative, directing the appointment of a chapter 11 trustee

Docket 180

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz
Tamar Terzian

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(The Bank of New York Mellon VS Debtor)

Docket 516

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 12 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

10:30 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#2.00 Hearing re: Motion for relief from stay
(U.S. Bank National Association VS Debtor)

Docket 305

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers, which is not opposed by debtor as stated in its limited opposition, except as to any finding of bad faith, the request for stay annulment and the request for waiver of the 14-day waiting period under FRBP 4001(a)(3). The court is inclined not to find that debtor engaged in bad faith based on this record. No tentative ruling on request for stay annulment as movant has not shown that the legal standards of *National Environmental Waste Corp. v. City of Riverside* (In re National Environmental Waste Corp.), 129 F.3d 1052 (9th Cir. 1997) and *In re Gasprom, Inc.*, 500 B.R. 598 (9th Cir. BAP 2013) have been met. No tentative ruling as of the request for waiver of the 14 day waiting period under FRBP 4001(a)(3). Appearances are required on 9/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

10:30 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#3.00 Hearing re: Motion for relief from stay
(Emma Borges VS Debtor)

Docket 170

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Deny request of debtor to condition granting stay relief to movant by allowing a blanket order for stay relief for other parties because no legal authority is cited for such broad relief. The request is problematic because the other parties for whom blanket relief is requested to be granted are not identified, nor are the claims that they are asserting are identified.

Appearances are required on 9/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

10:30 AM

2:17-24832 Maribel Proo

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Nissan Motor Acceptance Corporation VS Debtor)

Docket 25

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Maribel Proo

Represented By
Daniel King

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

10:30 AM

2:18-15476 Martin Raul Cruz and Merenciana Terrazas

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(JPMorgan Chase Bank, NA VS Debtors)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny requests for extraordinary relief in paragraphs 3, 8, 10 and 11 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Martin Raul Cruz

Represented By
Luis G Torres

Joint Debtor(s):

Merenciana Terrazas

Represented By
Luis G Torres

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

10:30 AM

2:18-17165 Ki Y Jang

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Western Plaza Capital Holding LLC VS Debtor)

Docket 28

Tentative Ruling:

Because the bankruptcy case was dismissed on 8/23/18, the relief sought under 11 U.S.C. 362(d)(1) and (2) is moot. 11 U.S.C. 362(c)(1) and (2). Deny request for extraordinary relief in paragraph 9 for lack of evidentiary and/or legal support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

Appearances are optional on 9/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Ki Y Jang	Pro Se
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Trustee(s):

Elissa Miller (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

10:30 AM

2:18-17678 Manvel Voskerchyan

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(Honda Lease Trust VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Manvel Voskerchyan

Represented By
Leon Nazaretian

Movant(s):

HONDA LEASE TRUST

Represented By
Vincent V Frounjian

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

10:30 AM

CONT... Manvel Voskerchyan

Chapter 7

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

10:30 AM

2:18-19427 Hilda Lopez

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(NPI Debt Fund I, LP VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Hilda Lopez

Pro Se

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

11:00 AM

2:17-17863 Sharon Kelly

Chapter 7

Adv#: 2:17-01415 Gross v. Kelly

#9.00 Cont'd hearing re: Motion for summary judgment, or alternatively for summary adjudication of the 1st and 2nd claims for relief

fr. 5/23/18, 5/30/18, 7/17/18

Docket 39

Tentative Ruling:

Updated tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/18/18.

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/30/18, but counsel may appear by telephone.

Revised tentative ruling as of 4/23/18 at 5:30 p.m. Off calendar. The court is issuing a written order continuing the hearing on the motion to 5/23/18 at 1:30 p.m. The order requires the parties to redact personal identifier information in their papers as required by FRBP 7037 and LBR 7037-1. The parties improperly stated the names of minor children and other personal identifiers in their papers. The parties also cited to numerous unreported court decisions in their papers and failed to provide the court with unmarked, complete copies of these decisions as required by LBR 9013-2(c)(3)(D). No appearances are required on 4/24/18.

Party Information

Debtor(s):

Sharon Kelly

Represented By
Richard T Baum

Defendant(s):

Sharon Kelly

Represented By
Cassandra K. Riles

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

11:00 AM

CONT... Sharon Kelly

Chapter 7

Movant(s):

Mark P. Gross

Represented By
Gary A Starre

Plaintiff(s):

Mark P. Gross

Represented By
Gary A Starre

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

11:00 AM

2:17-17863 Sharon Kelly

Chapter 7

Adv#: 2:17-01415 Gross v. Kelly

#10.00 Cont'd status conference re: Complaint to determine non-dischargeability of debt pursuant to 11 U.S.C. §§ 523(a)(5) and (15) fr. 1/16/18, 5/30/18, 7/17/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/18/18.

Updated tentative ruling as of 1/12/18. The court has reviewed the joint status report. Set a discovery cutoff date of 6/30/18 and a further postdiscovery status conference for 7/17/18 at 1:30 p.m. with a joint status report due on 7/10/18. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 1/31/18 and complete mediation by 7/17/18. Appearances are required on 1/16/18, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Prior tentative ruling as of 11/13/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Sharon Kelly

Represented By
Richard T Baum

Defendant(s):

Sharon Kelly

Pro Se

Plaintiff(s):

Mark P. Gross

Represented By
Gary A Starre

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

11:00 AM

CONT... Sharon Kelly

Chapter 7

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:16-01332 All In One Trading, Inc., a California corporation v. Chaparala

#11.00 Cont'd status conference re: Complaint to determine non-dischargeability of debt and for denial of discharge
fr. 2/28/17, 4/25/17, 1/16/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. The court has reviewed the joint status report. Appearances are required on 9/18/18 to discuss the status of debtor's pending state court appeal and the scheduling of further proceedings in this adversary proceeding, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. The court has reviewed the joint status report that the parties are requesting a stay pending the outcome of debtor's state court appeal. Appearances are required on 1/16/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/27/17. Off calendar. The court has reviewed the joint status report requesting that the status conference be continued for 3 weeks for the parties to evaluate the state court judgment recently entered. The court on its own motion continues the status conference to 3/21/17 at 1:30 p.m. Counsel for plaintiff to notify counsel for defendant of the continuance. No appearances are required on 2/28/17.

Prior tentative ruling as of 12/5/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 12/6/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/26/16. Appearances are required on 9/27/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Rama Krishna Chaparala

Pro Se

Plaintiff(s):

All In One Trading, Inc., a California

Represented By
Richard L Barnett

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Richard L Barnett

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01120 Ehrenberg v. Cosmetics Gallery, Inc. et al

#12.00 Cont'd status conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/19/18

Docket 1

***** VACATED *** REASON: Cont'd from 9/18/18 to 11/6/18 at 1:30 p.m.
per stip & order entered on 9/12/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 9/17/18. Off calendar. Continued by stipulation and order to 11/6/18 at 1:30 p.m. No appearances are required on 9/18/18.

Prior tentative ruling. The court has reviewed the joint status report. Because the parties have not had their LBR 7026-1 conference and the adversary proceeding is not yet at issue since defendants have not answered the complaint, the court is inclined to continue the status conference until after the extended response date of 7/16/18 so that the responses to the complaint can be filed. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Cosmetics Gallery, Inc.

Pro Se

Srinivas Venkumahanti

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01121 Ehrenberg v. JYMK COSMETICS, INC. et al

#13.00 Cont'd status conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling. The court has reviewed plaintiff's unilateral status report. Because default has been entered against defendant and plaintiff has represented that it intends to file a motion for default judgment shortly, the court on its own motion continues the status conference for about 60 days to 11/6/18 at 1:30 p.m. so plaintiff can file its motion for default judgment. No appearances are required on 9/18/18.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Because defendants have not responded to the complaint and plaintiff intends to request entry of their default, the court is inclined to continue the status conference for about 60 days so plaintiff can file a request for entry of default. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

JYMK COSMETICS, INC.

Pro Se

In One Corporation

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By

Anthony J Napolitano

Michael Fischer

Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01122 Ehrenberg v. Perfumerie, Inc. et al

#14.00 Cont'd status conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. The court has reviewed the joint status reports indicating that the parties do not agree on a pretrial schedule and on whether the matter should be ordered to mediation. Appearances are required on 9/18/18 to discuss scheduling and mediation, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status reports. Because the parties have not had their LBR 7026-1 conference, the court is inclined to continue the status conference for about 60 days so that the parties can conduct the conference and make initial discovery disclosures. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Perfumerie, Inc.	Pro Se
Puja Lachmandas	Pro Se
Parvez Syed	Pro Se
Rajkumari Aswani	Pro Se
Naintara Jiwnani	Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Archana Jiwnani

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01124 Ehrenberg v. Chaparala

#15.00 Cont'd status conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. Off calendar. The court has reviewed the joint status report requesting a continuance of the status conference to 11/6/18 at 1:30 p.m., which request the court grants and continues the status conference to that date and time for the reasons stated in the status report. No appearances are required on 9/18/18.

Prior tentative ruling. The court has reviewed the joint status report. Because the parties have not had their LBR 7026-1 conference, the court is inclined to continue the status conference for about 60 days so that the parties can conduct the conference and make initial discovery disclosures. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Rama Krishna Chaparala

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01125 Ehrenberg v. VC Sales and Services, LLC et al

#16.00 Cont'd status conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. Off calendar. The court has reviewed the joint status report representing that the parties have been engaged in informal discovery and settlement discussions and requesting a continuance of the status conference to 11/6/18 at 1:30 p.m. so the parties can continue these discussions. The court on its own motion continues the status conference to 11/6/18 at 1:30 p.m. An updated joint status report is due on 10/30/18. No appearances are required on 9/18/18.

Prior tentative ruling. The court has reviewed the joint status report of some parties and the unilateral status report of defendant VC Sales and Services, LLC. Because the parties have not had their LBR 7026-1 conference and the adversary proceeding is not yet at issue since certain defendants have not answered the complaint and one defendant, VC Sales and Services, LLC, has not timely responded to the complaint (however, this defendant contends that service was not proper), the court is inclined to continue the status conference until after the extended response date of 7/16/18 so that the responses to the complaint can be filed by defendants who have extensions of time to respond to the complaint and that plaintiff can request entry of default against the defendant which has not timely responded to the complaint, or that defendant's motion to set aside default can be heard. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Defendant(s):

VC Sales and Services, LLC	Pro Se
Raja Sekhar Vadlamudi	Pro Se
Ravik Chigurupati	Pro Se
Kavita Tummala	Pro Se

Plaintiff(s):

Howard M. Ehrenberg	Represented By Anthony J Napolitano
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Trustee(s):

Howard M Ehrenberg (TR)	Represented By Anthony J Napolitano Michael Fischer Michael Fischer
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01556 Gonzalez v. Klimenko

#17.00 Cont'd status conference re: Complaint objecting to discharge
fr. 5/8/18, 6/5/18, 7/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. Off calendar. The court has reviewed plaintiff's unilateral status report. As alternatively suggested by plaintiff, the court on its own motion continues the status conference to 10/23/18 at 2:30 p.m. to be conducted with the hearing on defendant's motion to set aside default. Plaintiff to give notice to defendant. No appearances are required on 9/18/18.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report and continues the status conference on its own motion to 9/18/18 at 1:30 p.m. in light of plaintiff's pending motion for default judgment. No appearances are required on 7/31/18.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh
Michael Jay Berger

Defendant(s):

Wladimir John Klimenko

Pro Se

Plaintiff(s):

Rosendo Gonzalez

Represented By
D Edward Hays

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

CONT... Wladimir John Klimenko

Chapter 7

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:17-11797 Jay Yoon

Chapter 7

Adv#: 2:17-01281 Lavitex, Inc. v. Yoon

#18.00 Cont'd status conference re: Plaintiff's complaint to determine nondischargeability of debt and objections to discharge fr. 11/28/17, 1/9/18, 3/6/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed defendant's status report, but notes that plaintiff was not part of the status report. Defendant untimely served his answer, but default had not yet been entered. Plaintiff to address whether it objects to the filing of the answer and defendant defending in this matter since plaintiff indicated at the status conference on 7/25/17 that it intended to resubmit a request for entry of default. Appearances are required on 10/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. Appearances are required on 7/25/17, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

CONT... Jay Yoon

Chapter 7

Debtor(s):

Jay Yoon

Represented By
Young K Chang

Defendant(s):

Jay Yoon

Pro Se

Plaintiff(s):

Lavitex, Inc.

Represented By
K Tom Kohan

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:17-15730 Rossby Ruiz

Chapter 7

Adv#: 2:18-01111 Reynoza-Fonseca v. Ruiz

#19.00 Cont'd status conference re: Declaratory relief
fr. 6/26/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/18/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/26/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rossby Ruiz

Represented By
Freddie V Vega
David J Richardson

Defendant(s):

Rossby Ruiz

Pro Se

Plaintiff(s):

Ageda Reynoza-Fonseca

Represented By
Steven J Shapero

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:17-24369 Marvin Abel Sican Roca

Chapter 7

Adv#: 2:18-01047 Wesley H. Avery, Chapter 7 Trustee of the Bankrupt v. Sican Roca et al

#20.00 Cont'd status conference re: Trustee's complaint for: (1-3) avoidance of fraudulent transfer; (4) recovery of avoided transfer; (5) a declaratory judgment quieting title to real property; (6) imposition of a constructive trust; (7) accounting; (8) turnover; (9) injunctive relief; (10) sale of a property in which a non-debtor asserts an interest; and (11) denial of discharge
fr. 4/17/18, 6/26/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 9/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/26/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Appearances are required on 4/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Marvin Abel Sican Roca

Represented By
Daniel King

Defendant(s):

Marvin Abel Sican Roca

Pro Se

Angelica Maria Rodriguez

Pro Se

Oscar L. Sican

Pro Se

Angelica Sican Martinez

Pro Se

Bayview Loan Servicing, LLC.

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

CONT... Marvin Abel Sican Roca

Chapter 7

Joint Debtor(s):

Angelica Maria Rodriguez

Represented By
Daniel King

Plaintiff(s):

Wesley H. Avery, Chapter 7 Trustee

Represented By
Zi Chao Lin
Adjoa Anim-Appiah

Trustee(s):

Wesley H Avery (TR)

Represented By
Zi Chao Lin

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:18-11148 Jong J Kim

Chapter 7

Adv#: 2:18-01134 Shon et al v. Kim et al

#21.00 Cont'd status conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §§523(a)(2)(A) & (a)(6) and 11 U.S.C. §§727(a)(3)-(4), and declaratory relief fr. 7/10/18, 7/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. Set a discovery cutoff date of 2/28/19 and a post-discovery status conference on 3/26/19 at 1:30 p.m. with a joint status report due on 3/19/19. Order the matter to mediation, and the parties to file a selection of mediator and alternate mediator by 10/31/18 and complete mediation by 3/26/19. Appearances are required on 9/18/18, but counsel may appear by telephone. Plaintiffs to submit a proposed scheduling order within 7 days of the status conference.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 7/31/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the unilateral status reports filed by the parties. The court continues the status conference to 7/31/18 at 2:30 p.m. to be conducted with the hearing on defendants' amended motion to dismiss. No appearances are required on 7/10/18.

Although the parties failed to file a timely joint status report as required by Local Bankruptcy Rule 7016-1 and the court's status conference order, the court will not require at this time for the parties to file an updated and amended joint status report in light of the pendency of defendants' motion to dismiss.

However, the court notes that plaintiff has a jury trial demand on the face of the complaint, which the court will strike because there is no right to a jury trial on debt dischargeability and discharge denial claims in the adversary proceeding. The court also notes that the parties' consent to this court's jurisdiction to enter a final judgment on these core claims is not needed.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

CONT... Jong J Kim

Chapter 7

Party Information

Debtor(s):

Jong J Kim

Represented By
M Teri Lim

Defendant(s):

Jong Joo Kim

Pro Se

Sun Y Kim

Pro Se

Joint Debtor(s):

Sun Y Kim

Represented By
M Teri Lim

Plaintiff(s):

Kevin Shon

Represented By
Jason Shon

Sunny Shon

Represented By
Jason Shon

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:18-13057 Anna J Bowes

Chapter 7

Adv#: 2:18-01227 Goodrich, Chapter 7 Trustee v. Bowes

#22.00 Status conference re: Trustee's complaint for: (1) a declaratory judgment quieting title to real property; (2) turnover; (3) injunctive relief; (4) permission to sell real property in which non-debtor assert an interest [11 U.S.C. §§ 1105(a), 363(h) and 542; 28 U.S.C. § 2201(a)]

Docket 1

Tentative Ruling:

No tentative ruling as of 9/17/18. Appearances are required on 9/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Anna J Bowes

Represented By
Roxanne Bonar

Defendant(s):

Tracy Steven Bowes

Pro Se

Plaintiff(s):

David M. Goodrich, Chapter 7

Represented By
Wesley H Avery

Trustee(s):

David M Goodrich (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:18-14690 Angela Maria Porcell Smith

Chapter 7

Adv#: 2:18-01231 Mercedes-Benz Financial Services USA LLC, as servi v. Smith

#23.00 Status conference re: Complaint to determine dischargeability of debt
[11 U.S.C. §§ 523(a)(6) and 523(a)(2)(A)]

Docket 1

***** VACATED *** REASON: Cont'd from 9/18/18 to 3/12/19 at 1:30 p.m.
per stip & order entered on 9/6/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 3/12/19 at 1:30 p.m. No appearances are required on 9/18/18.

Party Information

Debtor(s):

Angela Maria Porcell Smith

Represented By
Beatriz Chen

Defendant(s):

Angela Maria Porcell Smith

Pro Se

Joint Debtor(s):

Michael S. Smith

Represented By
Beatriz Chen

Plaintiff(s):

Mercedes-Benz Financial Services

Represented By
Rebecca A Caley

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

1:30 PM

2:18-15022 Diana Christina Peraza

Chapter 7

Adv#: 2:18-01229 Avery v. Peraza

#24.00 Status conference re: Complaint against debtor for denial of discharge

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status report and continues the status conference on its own motion to 10/2/18 at 2:30 p.m. to be conducted with the hearing on plaintiff's motion for default judgment. No appearances are required on 9/18/18.

Party Information

Debtor(s):

Diana Christina Peraza	Pro Se
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Defendant(s):

Diana Christina Peraza	Pro Se
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Plaintiff(s):

Wesley H Avery	Represented By Carmela Pagay
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Trustee(s):

Wesley H Avery (TR)	Represented By Carmela Pagay
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:00 PM

2:11-40813 Cinevision International, Inc.

Chapter 7

#25.00 Pretrial conference: Remand
fr. 4/24/18, 5/1/18

Docket 253

Tentative Ruling:

Updated tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/18/18 to discuss scheduling of trial, but counsel may appear by telephone.

Prior tentative ruling as of 4/30/18. No tentative ruling on the merits. Appearances are required on 5/1/18, but counsel may appear by telephone.

No tentative ruling as of 4/23/18. Appearances are required on 4/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Cinevision International, Inc.

Represented By
Alan W Forsley
Andrew Edward Smyth

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Bradley J Yourist

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:00 PM

2:17-19081 Jarrod Cornelius Porter

Chapter 7

Adv#: 2:17-01571 Porter v. Navient U.S. Department of Education Loan Servicin

#26.00 Pretrial conference re: Adversary complaint
fr. 2/13/18, 4/10/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. By order filed on 9/13/18, the joint pretrial stipulation was approved, and the trial is set for 10/4/18 at 9:00 a.m. At the pretrial conference, the parties may raise concerns regarding the joint pretrial stipulation and the trial setting order. Appearances are required on 9/18/18.

Prior tentative ruling as of 4/9/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 4/10/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 2/12/18. Appearances are required on 2/13/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Jarrod Cornelius Porter	Pro Se
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Defendant(s):

Navient U.S. Department of	Pro Se
Nelnet	Pro Se

Plaintiff(s):

Jarrod Cornelius Porter	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:00 PM

CONT... Jarrod Cornelius Porter

Chapter 7

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:30 PM

2:10-64372 Nasir Eftekhari

Chapter 7

Adv#: 2:11-01941 Cathay Bank v. Eftekhari

#27.00 Hearing re: Application for appearance and examination of Nasir Eftekhari and production of documents

Docket 50

***** VACATED *** REASON: Matter off calendar per notice filed on 9/10/18-md.**

Tentative Ruling:

Off calendar. Based on the notice filed by movant, the court has taken the hearing off calendar. No appearances are required on 9/18/18.

Party Information

Debtor(s):

Nasir Eftekhari

Represented By
Robert S Altagen

Defendant(s):

Nasir Eftekhari

Represented By
Douglas M Neistat
Yi S Kim

Plaintiff(s):

Cathay Bank

Represented By
Bob Benjy
Michael G Fletcher
Marshall J August

Trustee(s):

Alfred H Siegel (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:30 PM

2:12-32327 Lisa Kelly

Chapter 7

#28.00 Hearing re: Motion to avoid lien under 11 U.S.C. §522(f) (real property)

Docket 24

Tentative Ruling:

Deny motion to avoid liens without prejudice or continue hearing to allow movant to file supplemental evidence of unavaoided liens of Los Angeles Police Federal Credit Union. The court is unable to determine whether the judgment lien to be avoided impairs the claimed exemption because there is insufficient evidence of the avoided liens, such as true and accurate copies of the unavaoided liens with recordation data. Appearances are required on 9/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Lisa Kelly

Represented By
James P Segall-Gutierrez
Marcus G Tiggs

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#29.00 Hearing re: Motion for entry of an order resolving debtor's alleged claims against property of the estate

Docket 1275

Tentative Ruling:

The court deems debtor's failure to timely oppose the motion as consent to granting the motion pursuant to LBR 9013-1(h) and grants the motion in its entirety since there is no evidence to show that the sale of the car, an asset of the estate, is attributable to debtor's postpetition, preconversion income. Appearances are optional on 9/18/18, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:30 PM

2:16-16503 Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01388 Phelps v. Bishop

#30.00 Hearing re: Motion to substitute successors in interest as plaintiffs, due to death of original plaintiff

Docket 138

Tentative Ruling:

Grant motion to substitute proper party plaintiffs pursuant to FRBP 7025 and FRCP 25(a)(1). Movants Thomas Patton and Audrey Patton seek to substitute in as the proper plaintiff under FRCP 25(a)(1) which states, "If a party dies and the claim is not extinguished, the court may order substitution of the proper party. A motion for substitution maybe made by any party or by the decedent's successor or representative. If the motion is not made within 90 days after service of a statement noting the death, the action by or against the decedent must be dismissed." Defendant argues that the because plaintiff died on May 1, 2018 and the Motion to Substitute was filed on August 17, 2018, movants do not meet the 90-day requirement of Rule 25(a)(1). "[T]he rule requires two affirmative steps in order to trigger the running of the 90 day period. First, a party must formally suggest the death of the party upon the record.... Second, the suggesting party must serve other parties and nonparty successors or representatives of the deceased with a suggestion of death in the same manner as required for service of the motion to substitute." *Barlow v. Ground*, 39 F. 3d 231, 233 (9th Cir. 1994) (internal citations omitted). "The running of the ninety-day limitations period under Rule 25(a) (1) is not triggered unless a formal suggestion of death is made on the record, regardless of whether the parties have knowledge of a party's death." *Grandbouche v. Lovell*, 913 F.2d 835, 836 (10th Cir.1990). "Mere reference to a party's death in court proceedings or pleadings is not sufficient to trigger the limitations period for filing a motion for substitution." *Id.* at 836-837. In this case, there is no evidence that (1) a party formally suggested the death of plaintiff upon the record or (2) parties were served with the suggestion of death to trigger the 90-day deadline. The motion is thus timely, and movants have demonstrated that under state law they are entitled to substitute as plaintiff's successors. Appearances are required on 9/18/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:30 PM

CONT... Reggie Lyn Bishop

Chapter 7

Party Information

Debtor(s):

Reggie Lyn Bishop Pro Se

Defendant(s):

Reggie Lyn Bishop Sr Pro Se

Plaintiff(s):

Willie Mae Phelps Represented By
Frances M Campbell

Trustee(s):

Timothy Yoo (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:30 PM

2:17-17938 Glenford Hilbrandt Flowers

Chapter 7

#31.00 Hearing re: Debtor's motion for authority to refinance real property

Docket 41

Tentative Ruling:

Deny debtor's motion for authority to refinance real property for the reasons stated in trustee's opposition, namely, debtor lacks authority to encumber the one-half joint tenancy interest which belonged to him and is now property of the bankruptcy estate under 11 U.S.C. 541 subject to administration in this bankruptcy case under the supervision of the Chapter 7 trustee under 11 U.S.C. 323 and 363. Appearances are required on 9/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Glenford Hilbrandt Flowers

Represented By
Jan Peter Quaglia

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:30 PM

2:17-20802 Kirstin A Tidwell

Chapter 7

#32.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Heide Kurtz, Chapter 7 Trustee]

Docket 72

Tentative Ruling:

The court is inclined to approve final report and fee application of trustee for reasons stated in the final report, but in light of the objection of Debtor to the final fee application of trustee's counsel, the court will defer a ruling on the final report and fee application of trustee until the court rules on the objection to counsel's fee application. Appearances are required on 9/18/18 to discuss scheduling, but trustee and counsel may appear by telephone.

Party Information

Debtor(s):

Kirstin A Tidwell

Represented By
Michele A Dobson

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:30 PM

2:17-20802 Kirstin A Tidwell

Chapter 7

#33.00 Hearing re: Application for fees and expenses
[Levene, Neale, Bender, Yoo & Brill L.L.P., Attorneys for Chapter 7 Trustee]

Docket 68

Tentative Ruling:

Treat as a contested matter under FRBP 9014 and schedule evidentiary hearing on the objections of Debtor to the final fee application of counsel for trustee. Appearances are required on 9/18/18 to discuss scheduling, but counsel may appear by telephone.

Party Information

Debtor(s):

Kirstin A Tidwell

Represented By
Michele A Dobson

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:30 PM

2:17-20802 Kirstin A Tidwell

Chapter 7

#34.00 Hearing re: Application for fees and expenses
[Hahn Fife & Company, Accountant for Chapter 7 Trustee]

Docket 70

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 9/18/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Kirstin A Tidwell

Represented By
Michele A Dobson

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:30 PM

2:17-24832 Maribel Proo

Chapter 7

#35.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[David M. Goodrich, Chapter 7 Trustee]

Docket 21

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 9/18/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Maribel Proo

Represented By
Daniel King

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:30 PM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#36.00 Hearing re: Motion to extend debtor's exclusive periods to file and solicit a plan of reorganization

Docket 91

Tentative Ruling:

Grant debtor's motion to extend exclusivity for the reasons stated in the moving papers because debtor is making progress in its reorganization by successful prosecution of the tenant abandonment litigation which will allow it to rent out its real property and improve revenue, and this in turn will enhance its prospect to sell the property to realize value for creditors, the case is in its early stages, only six months after filing, this is only the second extension of exclusivity and the other so-called Dow Corning factors are met.

Appearances are required on 9/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Fox Property Holdings, LLC

Represented By

Timothy J Yoo

Juliet Y Oh

Levene, Neale, Bender, Yoo & Brill LLP

Movant(s):

Fox Property Holdings, LLC

Represented By

Timothy J Yoo

Juliet Y Oh

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:30 PM

2:18-17013 Janine Liebert

Chapter 7

#37.00 Hearing re: Debtor's motion to convert from chapter 7 to 13

Docket 11

Tentative Ruling:

Treat as a contested matter under FRBP 9014 because it appears that there are disputed issues of material fact regarding debtor's good faith in requesting conversion of the case to Chapter 13 and debtor's income eligibility for Chapter 13 based on her amended schedules asserting a family contribution from her brother. See *In re Deutsch*, 529 B.R. 308 (Bankr. C.D. Cal. 2015). The court has questions about trustee's estimate of \$55,000 in anticipated Chapter 7 administrative expenses which seem awfully high in this case still in its early stages. Appearances are required on 9/18/18 to discuss scheduling of an evidentiary hearing to resolve disputed issues of material fact on the motion, but counsel may appear by telephone.

Party Information

Debtor(s):

Janine Liebert

Represented By
David S Hagen

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 18, 2018

Hearing Room 1675

2:30 PM

2:18-15276 Michael Wayne Torres

Chapter 7

#38.00 Cont'd hearing re: Motion for redemption of 2016 Toyota Corolla under 11 U.S.C. 722 fr. 9/11/18

Docket 11

Tentative Ruling:

Updated tentative ruling as of 9/17/18. Grant amended motion to redeem personal property for the reasons stated in the moving papers based on the satisfaction of the objection set forth opposition by the lender as reflected in the amended moving papers, including the amended schedules and claim of exemption. Appearances are optional on 9/18/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Prior tentative ruling. The court is inclined to grant debtor's motion to redeem personal property, but there is a procedural defect which needs to be fixed), the property to be redeemed is not listed on Schedule C as exempt property, 11 U.S.C. 522 and 722, nor is the property shown to be abandoned, 11 U.S.C. 522 and 554. Schedule C will have to be amended to claim the property as exempt. Appearances are required on 9/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Michael Wayne Torres

Represented By
Michael E Clark

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

10:30 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#1.00 Cont'd hearing re: Motion for relief from stay
(US Bank National Association VS Debtor)
fr. 6/5/18, 6/19/18, 8/22/18

Docket 30

Tentative Ruling:

Updated tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. The court has reviewed the supplemental pleading filed by movant with the state court's order in debtor's quiet title action, sustaining the demurrers, but with leave to amend. The court is inclined to continue the hearing on the stay relief motion with consent of movant or deny the motion without prejudice, pending the state court's sua sponte motion to dismiss the quiet title action set for hearing on 10/3/18 at 9:30 a.m. The hearing on the stay relief motion will be continued to after the state court hearing on the motion to dismiss with movant's consent or denied without prejudice. Alternatively, the court can set an evidentiary hearing on this contested matter regarding movant's stay relief claims. Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because there are disputed material issues of fact regarding whether cause is shown for lack of adequate protection and lack of good faith since movant has not met its burden of proof regarding debtor has insufficient equity in the subject property under 11 U.S.C. 362(g)(1) because its valuation evidence regarding equity is inadmissible and the circumstances indicating that debtor was the victim of fraudulent conduct and is pursuing legal action to vindicate its rights to reorganize and pay creditors. Although the court may not be able to take judicial notice of the declaration of the appraiser filed in the state court case, the court will accord sufficient time for debtor to obtain and file a declaration regarding valuation in this case, and likewise, for movant as well. The court will also afford the parties an opportunity to present evidence on good faith,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

10:30 AM

CONT...

Raeisi Group, Inc

Chapter 11

which will necessarily entail debtor's prospects for successfully reorganizing and obtaining plan confirmation in this case. See *In re Bonner Mall Partnership*, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). The case of *In re Walter*, 108 B.R. 244 (Bankr. C.D. Cal. 1989) does not necessarily dictate a finding of bad faith just because debtor filed for bankruptcy after failing to obtain a preliminary injunction to enjoin a foreclosure unless debtor cannot show that it can successfully reorganize and demonstrate reasonable prospects that a plan can be confirmed as recognized by the Bonner Mall decision. Appearances are required on 6/18/18 to discuss scheduling of pretrial and trial proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Raeisi Group, Inc

Represented By
Christopher P Walker

Movant(s):

U.S. Bank National Association as

Represented By
William D Coffee

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

10:30 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/25/15, 6/27/18, 8/22/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. No tentative ruling on the merits.
Appearances are required on 9/19/19, but counsel may appear by telephone.

No updated tentative ruling as of 8/20/18. Appearances are required on
8/22/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. The
claims bar date should be at least 60 days from the date of notice of bar date
to creditors, so 6/1/18 is not appropriate. Otherwise, no tentative ruling on the
merits. Appearances are required on 4/25/18, but counsel may appear by
telephone.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:15-12558 Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel

Chapter 11

#3.00 Hearing re: Second motion to approve financing pursuant to 11 U.S.C. §364

Docket 464

Tentative Ruling:

The court is inclined to grant second motion to approve financing for the reasons stated in the moving papers and for lack of timely written opposition, but the proposed agreement is not signed by the parties. Appearances are required on 9/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kenneth Leonard Dymmel

Represented By
Robert M Aronson

Joint Debtor(s):

Ruth Elizabeth Dymmel

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/25/18, 6/27/18, 8/8/18

Docket 1

***** VACATED *** REASON: Cont'd from 9/19/18 to 10/24/18 at 11:00
a.m. per stip & order entered on 9/10/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 9/17/18. Off calendar. Continued by stipulation and order to 10/24/18 at 11:00 a.m. No appearances are required on 9/19/18.

Prior tentative ruling as of 6/25/18. Off calendar. Continued by stipulation and order to 8/8/18 at 11:00 a.m. No appearances are required on 6/27/18.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. No tentative ruling on the merits. Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits. Appearances are required on 10/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Shapphire Resources, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

CONT... Shapphire Resources, LLC

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#5.00 Hearing re: Motion to dismiss chapter 11 bankruptcy

Docket 118

Tentative Ruling:

No tentative ruling as of 9/17/18. Appearances are required on 9/19/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Louis H Altman

Joint Debtor(s):

Sandra Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Louis H Altman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#5.10 Cont'd hearing re: Application to employ The Law Offices of Brian H. Cole as Special Franchise Law Counsel
fr. 8/29/18

Docket 116

Tentative Ruling:

Updated tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/19/19, but counsel may appear by telephone.

Prior tentative ruling. The court on its own motion continues the hearing on the application to employ special litigation counsel to the date and time of the hearing on creditor's motion to dismiss the bankruptcy case on 9/19/18 at 2:30 p.m. as a status conference on the application. Most likely, creditor's motion to dismiss is a contested matter under FRBP 9014 and may require an evidentiary hearing which the court will set at the hearing on 9/18/18, and the hearing on the employment application will trail the hearing on the motion to dismiss since granting of the motion to dismiss will moot out the application. No appearances are required on 8/29/18. Debtor to notify applicant of the continuance.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Louis H Altman

Joint Debtor(s):

Sandra Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

CONT...

Paul Bodeau and Sandra Bodeau

Louis H Altman

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 11/1/17, 3/28/18, 5/30/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. No tentative ruling on the merits.
Appearances are required on 9/19/19, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits.
Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report proposing a claims bar date of 1/24/18 with notice being served by 11/8/17 and a disclosure statement filing deadline of 2/28/18. These dates are satisfactory, and debtor should submit a proposed scheduling order. Appearances are required on 11/1/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#7.00 Hearing re: Application for payment of interim fees and/or expenses for Fredman Lieberman Pearl LLP

Docket 140

***** VACATED *** REASON: Cont'd from 9/19/18 to 10/24/18 at 11:00 a.m. per stip & order entered on 9/10/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 10/24/18 at 11:00 a.m.
No appearances are required on 9/19/18.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#7.10 Hearing re: Application for payment of interim fees and/or expenses for LEA Accountancy, LLP

Docket 144

***** VACATED *** REASON: Cont'd from 9/19/18 to 10/24/18 at 11:00 a.m. per stip & order entered on 9/10/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 10/24/18 at 11:00 a.m.
No appearances are required on 9/19/18.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:18-13300 The 17/21 Group, LLC

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/16/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/19/19, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. Regarding debtor's proposed claims bar dates, the court requires at least 60 days notice to nongovernmental creditors, and debtor's proposed bar date for governmental creditors of 7/30/18 is inconsistent with 11 U.S.C. 502(b)(9) providing that claims of governmental units are timely if filed before 180 days after the order for relief. Otherwise, no tentative ruling on the merits. Appearances are required on 5/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

The 17/21 Group, LLC

Represented By
Brett Ramsaur

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:18-14084 Edgar Eduardo Esparza

Chapter 11

#9.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/30/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. No tentative ruling on the merits.
Appearances are required on 9/19/19, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report proposing
a claims bar date of 7/30/18, but the court requires 60 days notice of a bar
date to creditors, which means notice must be served on all creditors by
5/31/18. The court is inclined to set a bar date of 8/10/18 with notice served
by 6/8/18. Otherwise, no tentative ruling on the merits. Appearances are
required on 5/30/18 to discuss scheduling of further proceedings, but counsel
may appear by telephone.

Party Information

Debtor(s):

Edgar Eduardo Esparza

Represented By
Giovanni Orantes

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:18-17263 8800 LLC

Chapter 11

#10.00 Hearing re: Motion for entry of an order authorizing use of cash collateral through and including January 21, 2019

Docket 63

Tentative Ruling:

Grant debtor's motion for entry of order authorizing use of cash collateral for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 9/19/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:18-18712 Ben B. Safyari

Chapter 11

#11.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The status conference is continued to October 3, 2018 at 11:00 a.m. pursuant to Mr. Aver's ex parte motion (Docket No. 36) and the order entered on September 18, 2018.

The court has reviewed debtor's status report. No tentative ruling on the merits.

Party Information

Debtor(s):

Ben B. Safyari

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:18-18766 Placemark Assets, LLC

Chapter 11

#12.00 Order to show cause why case should not be dismissed pursuant to Local Bankruptcy Rule 9011-2(a)

Docket 11

Tentative Ruling:

No tentative ruling as of 9/17/18. Appearances are required on 9/19/18.

Party Information

Debtor(s):

Placemark Assets, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:18-18766 Placemark Assets, LLC

Chapter 11

#13.00 Hearing re: U.S. Trustee's motion to dismiss or convert or appoint a Chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 17

Tentative Ruling:

Grant motion of United States Trustee to dismiss, convert or appoint trustee and dismiss case for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 9/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Placemark Assets, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:00 AM

2:18-18766 Placemark Assets, LLC

Chapter 11

#14.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

No tentative ruling as of 9/17/18. Appearances are required on 9/19/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Placemark Assets, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#15.00 Cont'd hearing re: Motion for order authorizing and approving adequacy of debtor's disclosure statement describing debtor's first amended chapter 11 plan fr. 7/18/18

Docket 217

Tentative Ruling:

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

No tentative ruling as of 7/16/18. Appearances are required on 7/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#16.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/25/18, 7/11/18, 7/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/17/18. No tentative ruling on the merits.
Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. No tentative ruling on the merits.
Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/10/17. No tentative ruling on the merits.
Appearances are required on 10/11/17, but counsel may appear by
telephone.

Revised tentative ruling as of 7/25/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
7/26/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits, but the court notes that the cash flow projection
described as Exhibit A was not attached to the status report. Appearances
are required on 4/19/17 to discuss setting of claims bar date and further
proceedings, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

CONT... Plain Leasing, Inc.

Chapter 11

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#17.00 Cont'd hearing re: Motion of defendant Ji Kun Lim's to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 5/1/18, 6/19/18, 7/18/18

Docket 13

Tentative Ruling:

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

CONT... Plain Leasing, Inc.
Chang Won Choi

Represented By
Gregory S Kim

Chapter 11

Joon Rhee

Represented By
Gregory S Kim

Movant(s):

Ji Kun Lim

Represented By
Mette H Kurth

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#18.00 Cont'd hearing re: Motion of defendant B & O Logistics to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 5/1/18, 6/19/18, 7/18/18

Docket 8

Tentative Ruling:

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court agrees with defendants that actions to set aside fraudulent transfers of assets of a bankruptcy debtor belongs to the bankruptcy estate and may be the basis for a motion to dismiss because actions to collect upon assets of the estate are subject to the automatic stay and relief from stay has not been obtained by the plaintiffs. In re MortgageAmerica Corp., 714 F.2d 1266, 1275 (5th Cir. 1983); In re Curry & Sorenson, Inc., 57 B.R. 824, 827-828 (9th Cir. BAP 1986); but see, In re Colonial Realty Co., 980 F.2d 125, 130-132 (2nd Cir. 1992). As noted by plaintiffs, there is a division in circuit authority as to whether property of the bankruptcy estate includes property subject to a fraudulent transfer avoidance action is part of the bankruptcy estate before the avoidance action. See Peter Spero, Fraudulent Transfers, Prebankruptcy Planning and Exemptions, Section 3.3 (Westlaw online Sept. 2017 update), citing, In re MortgageAmerica Corp., supra; In re Colonial Realty Co., supra; Rajala v.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

CONT... **Plain Leasing, Inc.**

Chapter 11

Garner, 709 F.3d 1031 (10th Cir. 2013); In re Allen, 768 F.3d 274 (3rd Cir. 2014). There is no definitive case authority in the Ninth Circuit, though the Bankruptcy Appellate Panel of the Ninth Circuit has stated that a fraudulent transfer avoidance action to recover property fraudulently transferred by a bankruptcy debtor is an asset of the debtor's bankruptcy estate. In re Curry & Sorenson, Inc., supra. The court will follow the BAP rule in Curry & Sorenson, Inc., as the current law of the Ninth Circuit.

Having said this, however, before the court rules on defendants' motions to dismiss, the court notes that plaintiffs could obtain authority of this court to allow them as parties other than the trustee or debtor-in-possession to pursue litigation on behalf of the estate (as opposed for themselves only). In re Curry & Sorenson, Inc., supra; In re Spauding Composites Co., 207 B.R. 899, 903 (9th Cir. BAP 1997). If plaintiffs are seeking to enforce their own interests as creditors, the court would thus grant the motions to dismiss, but if plaintiffs are seeking authorization from the court to pursue the litigation on behalf of the estate and its creditors, they should file and serve an appropriate motion, and the court would consider it subject to hearing from other interested parties.

Deny request for an order to show cause and/or sanctions for violation of stay since the stay is not intended to protect non debtor parties. 11 U.S.C. 362(a); see also, Ingersoll-Rand Financial Corp. v. Miller Mining Co., 817 F.2d 1424, 1427 (9th Cir. 1987). Moreover, it would be difficult to show civil contempt here that plaintiffs willfully violated a specific and definite order of the court by clear and convincing evidence, see, e.g., In re Dyer, 322 F.3d 1178. 1190-1191 (9th Cir. 2003), in bringing the fraudulent transfer action against defendants, given the uncertainty of the law as indicated by the lack of definitive case authority in the Ninth Circuit and otherwise divided circuit authority on the question of whether a fraudulently transferred property before avoidance is property of a debtor's bankruptcy estate circuit.

Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

CONT... Plain Leasing, Inc.

Chapter 11

Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#19.00 Cont'd hearing re: Joint motion of defendants and debtor to stay adversary proceeding and related deadlines and hearings fr. 6/19/18, 7/18/18

Docket 44

Tentative Ruling:

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

CONT... Plain Leasing, Inc.
Chang Won Choi

Represented By
Gregory S Kim

Chapter 11

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#20.00 Cont'd hearing re: Motion for authority to prosecute claims on behalf of the bankruptcy estate
fr. 6/19/18, 7/18/18

Docket 43

Tentative Ruling:

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

CONT... Plain Leasing, Inc.

Chapter 11

Joon Rhee

Gregory S Kim

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#21.00 Cont'd status conference re: Removal of state court action to the United States Bankruptcy Court, Central District, Los Angeles Division fr. 5/1/18, 6/19/18, 7/18/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court continues the status conference on its own motion to 5/1/18 at 3:00 p.m. to be conducted with the further hearings on defendants' motion to dismiss and in light of plaintiffs' consideration of filing a motion for authorization to prosecute the fraudulent transfer claims on behalf of the estate. No appearances are required on 4/3/18.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Pro Se

Michael Beom Lee

Pro Se

Sam Kim

Pro Se

Yoon Lee

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, September 19, 2018

Hearing Room 1675

11:30 AM

CONT... Plain Leasing, Inc.

Chapter 11

Chang Won Choi

Pro Se

Joon Rhee

Pro Se

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, September 20, 2018

Hearing Room 1675

9:00 AM

2:12-15665 Crystal Cathedral Ministries

Chapter 11

#1.00 TRIAL RE: Reorganized debtor's motion for issuance of order directing Carol Milner and Harold J. Light, Esq. to show cause why they should not be held in contempt (FRBP 9020); and for damages and attorneys' fees for intentionally violating the permanent discharge injunction fr. 7/11/18

Docket 2043

Tentative Ruling:

Updated tentative ruling as of 9/17/18. No tentative ruling will be issued for the hearing on the issue of whether the settlement agreement was and is an executory contract deemed rejected in the bankruptcy case. Appearances are required on 9/20/18.

No tentative ruling as of 7/30/18. Appearances are required on 7/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Crystal Cathedral Ministries

Represented By
Marc J Winthrop
Kavita Gupta
G Emmett Raitt
Nanette D Sanders
Jeannie Kim
Douglas L Mahaffey

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 25, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#1.00 Cont'd hearing re: Motion of defendant JPMorgan Chase Bank, N.A. to dismiss first amended complaint
fr. 7/10/18, 7/31/18, 8/21/18

Docket 32

***** VACATED *** REASON: Cont'd from 9/25/18 to 11/6/18 at 2:30 p.m.
per stip & order entered on 8/24/18-pj.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 11/6/18 at 2:30 p.m. No appearances are required on 9/25/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Represented By
Matthew S Henderson

QUALITY LOAN SERVICE

Represented By
Merdaud Jafarnia

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, September 27, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#1.00 EVIDENTIARY HEARING RE: Motion of Second Generation, Inc. for order converting the case to chapter 7 or, in the alternative, directing the appointment of a chapter 11 trustee
fr. 6/19/18, 8/23/18, 8/24/18

Docket 105

***** VACATED *** REASON: Cont'd from 9/27/18 & 9/28/18 to 10/11/18 & 10/12/18 at 9:00 a.m. per order entered on 9/13/18-mb.**

Courtroom Deputy:

[Cont'd from 9/27/18 & 9/28/18 to 10/11/18 & 10/12/18 at 9:00 a.m. per order entered on 9/13/18]

Tentative Ruling:

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, September 27, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/6/18, 6/19/18, 8/23/18

Docket 1

*** VACATED *** REASON: Cont'd from 9/27/18 & 9/28/18 to 10/11/18 &
10/12/18 at 9:00 a.m.-mb.

Courtroom Deputy:

[Cont'd from 9/27/18 & 9/28/18 to 10/11/18 & 10/12/18 at 9:00 a.m.]

Tentative Ruling:

Updated tentative ruling as of 6/18/18. No tentative ruling on the merits.
Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Off calendar. The court on its own motion
continues the status conference to be conducted with the hearing on the
motion of creditor Second Generation, Inc., to convert the case to Chapter 7
on 6/19/18 at 2:30 p.m. No appearances are required on 6/6/18.

Prior tentative ruling as of 4/17/18. Off calendar. Status conference
advanced to 4/18/18 at 11:00 a.m. by prior order. No appearances are
required on 4/25/18.

Prior tentative ruling as of 1/12/18. Appearances are required on 1/17/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
David B Golubchik
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, September 28, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#1.00 CONT'D EVIDENTIARY HEARING RE: Motion of Second Generation, Inc. for order converting the case to chapter 7 or, in the alternative, directing the appointment of a chapter 11 trustee
fr. 8/23/18, 9/24/18, 9/27/18

Docket 105

***** VACATED *** REASON: Cont'd from 9/27/18 & 9/28/18 to 10/11/18 & 10/12/18 at 9:00 a.m. per order entered on 9/13/18-mb.**

Courtroom Deputy:

[Cont'd from 9/27/18 & 9/28/18 to 10/11/18 & 10/12/18 at 9:00 a.m. per order entered on 9/13/18]

Tentative Ruling:

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, September 28, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/23/18, 8/24/18, 9/27/18

Docket 1

***** VACATED *** REASON: Cont'd from 9/27/18 & 9/28/18 to 10/11/18 &
10/12/18 at 9:00 a.m.-mb.**

Courtroom Deputy:

[Cont'd from 9/27/18 & 9/28/18 to 10/11/18 & 10/12/18 at 9:00 a.m.]

Tentative Ruling:

Updated tentative ruling as of 6/18/18. No tentative ruling on the merits.
Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Off calendar. The court on its own motion
continues the status conference to be conducted with the hearing on the
motion of creditor Second Generation, Inc., to convert the case to Chapter 7
on 6/19/18 at 2:30 p.m. No appearances are required on 6/6/18.

Prior tentative ruling as of 4/17/18. Off calendar. Status conference
advanced to 4/18/18 at 11:00 a.m. by prior order. No appearances are
required on 4/25/18.

Prior tentative ruling as of 1/12/18. Appearances are required on 1/17/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
David B Golubchik
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(HSBC Bank USA, NA VS Debtor)

Docket 518

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief, including stay annulment, for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraphs 4, 10 and 14 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

10:30 AM

2:17-21682 Jose Marin Soriano Equigua and Maria Ofelia Soriano

Chapter 7

#2.00 Cont'd hearing re: Motion for relief from stay
(US Bank National Association VS Debtors)
fr. 7/31/18

Docket 26

Tentative Ruling:

Updated tentative ruling as of 10/1/18. Deny motion for stay relief without prejudice based on prior tentative ruling. The moving papers show that there is a 20% equity cushion, and trustee is administering the case as an asset case. The statements in movant's counsel's declaration regarding the trustee's intentions in the case are uncorroborated. If trustee abandons the property or the case is fully administered, movant can refile the motion. Appearances are required on 10/2/18, but counsel may appear by telephone.

Prior tentative ruling. Deny motion for relief from stay under 11 U.S.C. 362(d) (1). Although debtors lack standing to object to stay relief since the stay is terminated as to them from their discharge, the trustee has issued a notice of assets and possible creditor dividend in this case, which may include the 20% equity cushion in the subject property, which adequately protects movant's lien interest. In re Mellor, 734 F.2d 1396 (9th Cir. 1984). Appearances are required on 7/31/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Jose Marin Soriano Equigua

Represented By
Cynthia Grande

Joint Debtor(s):

Maria Ofelia Soriano

Represented By
Cynthia Grande

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

10:30 AM

2:18-18563 Francisco Villavicencio and Martha Angelica Villavicencio

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Ford Motor Credit Company LLC VS Debtors)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Francisco Villavicencio

Represented By
Theresa Hana

Joint Debtor(s):

Martha Angelica Villavicencio

Represented By
Theresa Hana

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

10:30 AM

2:18-18820 Richard Clyde Hair and Carol Ann Hair

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtors)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Richard Clyde Hair

Represented By
Barry E Borowitz

Joint Debtor(s):

Carol Ann Hair

Represented By
Barry E Borowitz

Movant(s):

Toyota Motor Credit Corporation

Represented By
Austin P Nagel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

10:30 AM

CONT... Richard Clyde Hair and Carol Ann Hair

Chapter 7

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

10:30 AM

2:18-18882 Harold Salvana Palparan

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Honda Lease Trust VS Debtor)

Docket 8

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Harold Salvana Palparan

Represented By
Steven A Alpert

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

10:30 AM

2:18-19462 Vyronica Lee Smith

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Norma Suber VS Debtors)

Docket 12

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Vyronica Lee Smith

Pro Se

Movant(s):

Norma Suber

Represented By
Paul E Gold

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

1:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#7.00 Cont'd hearing re: Motion of Navigators Specialty Insurance Company for allowance and payment of administrative expense claim fr. 6/26/18, 8/20/18

Docket 1209

***** VACATED *** REASON: Cont'd from 10/2/18 to 11/27/18 at 2:30 p.m.
per stip & order entered on 9/27/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/1/18. Off calendar. Continued by stipulation and order to 11/27/18 at 2:30 p.m. No appearances are required on 10/2/18.

Prior tentative ruling as of 8/20/18. At the first hearing on the motion on 6/26/18, the parties indicated that they did not have an interest in litigating this contested matter to an evidentiary hearing and were going to attempt to negotiate a consensual resolution with the filing of a stipulation by the hearing on 8/21/18. No stipulation has been filed, which perhaps indicates a lack of consensus. At this point, the court is inclined to deny the motion without prejudice on grounds the motion is premature as argued by objecting party, Morrison and Foerster, because the trustee has not concluded his administration of the case and this would be consistent with Judge Saltzman's prior 2016 order denying preconversion fee applications without prejudice (Docket Number 568). In reaching this conclusion, the court has considered case law regarding whether to allow immediate payment of administrative expense claims ahead of distribution after the Chapter 7 trustee's final report, *In re Tandem Group., Inc.*, 61 B.R. 738, 742 (Bankr. C.D. Cal. 1986) (postponing determination of preconversion administrative expense claim until Chapter 7 trustee informs the court that sufficient funds exist in the estate to pay Chapter 7 administrative expenses and preconversion Chapter 11 administrative expenses); *In re Cardinal Industries, Inc.*, 109 B.R. 738, 742 (Bankr. S.D. Ohio 1989) (considering the status of the case, the likelihood that all administrative expense claims will be paid in full, and the ability of the claimant to repay any amount which later turns out to be in excess of payments to other administrative expense claimants in determining whether an immediate payment of administrative expense claims should be made). Other objecting parties argue that they are similarly situated to movant and

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

1:30 PM

CONT... Fred Matthew Adelman

Chapter 7

are entitled to payment of administrative expense claims as well, and it seems it would be burdensome to the parties and the estate to litigate all of these claims now before the trustee's administration of the case is not completed and the trustee does not know at this time whether there are sufficient funds to pay Chapter 7 administrative expenses and preconversion administrative expense claims.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because there are material issues of fact for trial regarding whether movant has made a substantial contribution, which is disputed by other parties. The parties should meet and confer regarding their pretrial needs and a proposed pretrial and trial schedule. Appearances are required on 6/26/18 to discuss scheduling of pretrial and trial proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01217 Gonzalez v. Brown et al

#8.00 Cont'd status conference re: Complaint for: (1) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §544(b)(1), 548(a)(1)(A), and 550, and California Civil Code §3439.04(a)(1); (2) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(I), and 550, and California Civil Code §3439.05; (3) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(II) and 550, and California Civil Code §3439.04(a)(2)(A); (4) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(III), and 550, and California Civil Code §3439.04(a)(2)(A); (5) Preservation of avoided transfer pursuant to 11 U.S.C. §551; (6) Disallowance of claim pursuant to 11 U.S.C. §502(d); and (7) Disallowance of claim pursuant to 11 U.S.C. §502(b)
fr. 5/8/18, 7/10/18, 8/21/18

Docket 1

***** VACATED *** REASON: Cont'd from 10/2/18 to 10/23/18 at 1:30 p.m.
per stip & order entered on 8/30/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/1/18. Off calendar. Continued by stipulation and order to 10/23/18 at 1:30 p.m. No appearances are required on 10/2/18.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint status report and notes that the parties have not had their LBR 7026-1 conference. The court is inclined to continue the status conference until the parties have completed their LBR 7026-1 conference and suggests that they conduct the business of LBR 7026-1 conference before the status conference to obviate the need for a continuance. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/11/17. Appearances are required on 9/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status reports filed by the various parties. No tentative ruling on the merits. Appearances are required on 5/30/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

1:30 PM

CONT... Wladimir John Klimenko

Chapter 7

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
Stephen S Smyth
William J Smyth

Defendant(s):

Robert Anthony Brown

Pro Se

Law Office of Robert Brown

Pro Se

Acquplied Assets, B.T.

Pro Se

Wladimir John Klimenko

Pro Se

Wladimir J. Klimenko Living Trust

Pro Se

Jeffrey Alan Abraham

Pro Se

JMS Financial, Inc

Pro Se

Deanna Shapiro

Pro Se

BANK OF THE WEST

Pro Se

Plaintiff(s):

Rosendo Gonzalez

Represented By
Sherri S Shafizadeh
Thomas A Fasel

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

1:30 PM

2:16-26326 Randolph Carl Scales

Chapter 7

Adv#: 2:17-01192 Diamond, Chapter 7 Trustee, Plaintiff v. Scales

#9.00 Cont'd status conference re: Trustee's complaint: (1) to avoid and recover fraudulent transfer; and (2) for turnover fr. 2/20/18, 5/22/18, 7/31/18

Docket 1

***** VACATED *** REASON: Cont'd from 10/2/18 to 4/2/19 at 1:30 p.m. per stip & order entered on 9/6/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/1/18. Off calendar. Continued by stipulation and order to 4/2/19 at 1:30 p.m. No appearances are required on 10/2/18.

Prior tentative ruling. The court has reviewed the joint status report. Set discovery completion date of 1/31/18 and set a post-discovery status conference for 2/20/18 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 7/31/17 and to complete mediation by 2/28/17. Appearances are required on 5/16/17, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Randolph Carl Scales

Represented By
Daniel King

Defendant(s):

Michelle Renee Scales

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Sonia Singh

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

1:30 PM

CONT... Randolph Carl Scales

Chapter 7

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Zev Shechtman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01035 Grand View Financial, LLC v. Nations Direct Mortgage, LLC et al

#10.00 Cont'd status conference re: Complaint for: (1) Declaratory relief; (2) Disallowance of any claims of PennyMac Loan Services, LLC; and (3) Violation of fair debt collection practices act
fr. 4/10/18, 6/5/18, 7/17/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. Off calendar. The court has reviewed the joint status report requesting a continuance of the status conference in light of pending settlement discussions, and the court on its own motion continues the status conference to 10/2/18 at 1:30 p.m. No appearances are required on 7/17/18. Counsel for plaintiff to notify counsel for defendants of the continuance.

Prior tentative ruling. The court has reviewed the joint status report suggesting that the status conference be continued until late May 2018 because the pleadings are not yet at issue. The court continues the status conference on its own motion to 6/5/18 at 1:30 p.m., and a further joint status report must be filed on or before 5/29/18. No appearances are required on 4/10/18. Counsel for plaintiff is to give notice to counsel for defendants.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

1:30 PM

CONT... Grand View Financial LLC

Chapter 11

Defendant(s):

Nations Direct Mortgage, LLC	Pro Se
Mortgage Electronic Registration	Pro Se
Fidelity National Title aka Fidelity	Pro Se
PennyMac Loan Services, LLC	Pro Se
PennyMac Corp.	Pro Se
Massachusetts Mutual Life	Pro Se

Plaintiff(s):

Grand View Financial, LLC	Represented By Todd M Arnold
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01241 Grand View Financial, LLC v. Harold R. Fuhrmann

#11.00 Status conference re: Complaint for turnover of property of the estate
[11 U.S.C. §542]

Docket 1

Tentative Ruling:

No tentative ruling as of 10/1/18. Appearances are required on 10/2/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Harold R. Fuhrmann

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

1:30 PM

2:18-15474 **Rafael H. Conchucos**

Chapter 7

Adv#: 2:18-01246 Conchucos v. U.S. DEPARTMENT OF EDUCATION C/O FEDLOAN

#12.00 Status conference re: Complaint for hardship discharge - student loan

Docket 1

Tentative Ruling:

No tentative ruling as of 10/1/18. Appearances are required on 10/2/18.

Party Information

Debtor(s):

Rafael H. Conchucos

Represented By
Shirlee L Bliss

Defendant(s):

U.S. DEPARTMENT OF

Pro Se

Joint Debtor(s):

Diana Conchucos

Represented By
Shirlee L Bliss

Plaintiff(s):

Diana Conchucos

Represented By
Shirlee L Bliss

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:00 PM

2:15-10768 Brian J Cook

Chapter 7

Adv#: 2:15-01323 Franowicz et al v. Cook et al

#13.00 Cont'd pretrial conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(2) fr. 12/12/17, 4/10/18, 6/26/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/2/18.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/26/18.

Prior tentative ruling as of 4/9/18. The court has reviewed the joint pretrial stipulation, and after its review, the court is of the opinion that the matter is not ready for trial. The parties have indicated that expert discovery has not been completed. Plaintiffs have stated that they will call expert witnesses at trial, and defendant reserved his right to do so. The court believes that the parties should disclose the identity of their expert witnesses and be required for such expert witnesses to produce their expert reports, and a deposition schedule be set. As to evidentiary objections to exhibits, the parties have each stated that they reserve all objections to some exhibits, which is not permitted by the court's rules and procedures, and the court will disregard the reservation of rights to object, which means that the parties asserting an objection must state specific grounds for an objection or the objections based on reservations of rights will be overruled, and such exhibits will be received into evidence. The court will allow parties some time to interpose objections based on specific grounds as to those exhibits. As to presentation of deposition testimony, plaintiffs state that they will object to the use of deposition testimony of plaintiffs, but do not state a reason. It appears to the court that the parties should mark and countermark deposition transcripts in accordance with the court's local rules and the parties can interpose objections to admission of deposition testimony at that time. In the joint

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:00 PM

CONT...

Brian J Cook

Chapter 7

pretrial stipulation, defendant stated that the trial should be bifurcated to first determine the existence of a debt and then determine whether such debt is dischargeable, but plaintiffs stated no position as to bifurcation. The court is not inclined to bifurcate the trial since there is no apparent benefit to the court or the parties by doing so, but plaintiffs will need to state their position on the issue. The parties should be prepared to discuss scheduling of expert discovery, submission of an amended joint pretrial stipulation and dates for a further pretrial conference. Appearances are required on 4/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 10/16/17. Appearances are required on 10/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 8/7/17. The court has reviewed plaintiffs' status report stating that they intend to proceed with prosecution of the adversary complaint. According to the status report, plaintiffs seek specified damages of \$32,018.06 for rent and settlement costs, plus an unspecified amount of damages for attorneys' fees they have incurred. Plaintiffs should be prepared to disclose: (1) the amount of attorneys' fees that they incurred and are seeking an award and (2) the substantive legal basis for an award of attorneys' fees because none was alleged in the complaint or specified in the purchase and sale agreement for the subject property (preliminarily, the court is of the view that the attorneys' fees clause in the lease agreement would not apply since the alleged fraud was with the purchase and sale agreement). Appearances are required on 8/8/17 to discuss scheduling of further proceedings, including pretrial conference and trial, but counsel may appear by telephone.

Prior tentative ruling as of 6/26/17. The court has reviewed the joint pretrial stipulation. No tentative ruling on the merits. The court will discuss the issues raised in the joint pretrial stipulation regarding the effect of the approval of the settlement between trustee and the Franowicz/Gallagher parties. Appearances are required on 6/27/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:00 PM

CONT... Brian J Cook

Chapter 7

Prior tentative ruling as of 5/26/17. Off calendar. Continued to 6/27/17 at 2:00 p.m. as stated orally at a hearing on trustee's motion to approve settlement with Franowicz/Gallagher parties in the main bankruptcy case on 5/15/17. No appearances are required on 5/30/17.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/13/17. The court has reviewed the joint status report. Appearances are required on 1/17/17 to discuss scheduling of further proceedings, including a pretrial conference.

Prior tentative ruling as of 5/27/16. Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 9/30/16 and to complete mediation by 1/17/17. Appearances are required on 5/31/16, but counsel may appear by telephone. Plaintiffs to submit a proposed scheduling order within 7 days of hearing.

Prior tentative ruling as of 2/22/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 2/24/16 to address scheduling and referral to mediation, but counsel may appear by telephone.

Prior tentative ruling as of 12/14/15. Treat as contested matter under FRBP 9014. No tentative ruling on the merits. Appearances are required on 12/16/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 11/23/15. Off calendar. This matter is trailed with the pretrial conference on creditors' motion to dismiss the bankruptcy case and debtors' motion to reject executory contract, which have been continued by stipulation and order to 12/15/15 at 2:00 p.m. No appearances are required on 11/24/15.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:00 PM

CONT... Brian J Cook

Chapter 7

Prior tentative ruling as of 10/9/15. Off calendar. Continued to 11/24/15 at 2:00 p.m. on the court's own motion at a hearing in the bankruptcy case on 10/6/15. No appearances are required on 10/13/15.

Prior tentative ruling. The court has reviewed the joint status report requesting that the status conference be continued until after the evidentiary hearing on creditors' motion to dismiss the underlying bankruptcy case is conducted. Appearances are required on 8/25/15 to discuss scheduling, but counsel may appear by telephone.

Party Information

Debtor(s):

Brian J Cook

Represented By
Rex Tran

Defendant(s):

Brian J Cook

Represented By
Rex Tran

Victoria Velasquez Cook

Represented By
Andrew Goodman
Rex Tran

Interested Party(s):

Courtesy NEF

Represented By
Theresa J Macellaro

Joint Debtor(s):

Victoria Velasquez Cook

Represented By
Andrew Goodman
Yi S Kim
Robert D Bass
Rex Tran

Plaintiff(s):

Edward Franowicz

Represented By
James Andrew Hinds Jr

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:00 PM

CONT... Brian J Cook

Chapter 7

Larissa Gallagher

Brian Barouir Yeretzian
Paul R Shankman

Represented By
James Andrew Hinds Jr
Brian Barouir Yeretzian
Paul R Shankman

Trustee(s):

Heide Kurtz (TR)

Represented By
Lei Lei Wang Ekvall

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

#14.00 Hearing re: Second interim application for fees and reimbursement of costs of LEA Accountancy, LLP, accountant for chapter 7 trustee

Docket 484

***** VACATED *** REASON: Cont'd from 10/2/18 to 11/6/18 at 2:00 p.m.
per order entered on 9/28/18- st**

Tentative Ruling:

Off calendar. Continued to 11/6/18 at 2:00 p.m. by prior order. No appearances are required on 10/2/18.

Party Information

Debtor(s):

Kathleen Kellogg-Taxe

Represented By
Miri Kim Wakuta
Gregory M Salvato

Movant(s):

LEA Accountancy, LLP

Pro Se

Trustee(s):

Carolyn A Dye (TR)

Represented By
Carolyn A Dye (TR)
James A Dumas Jr
Miri Kim Wakuta
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

#15.00 Hearing re: Second interim application for fees and reimbursement of costs of Dumas & Kim, APC., counsel for trustee

Docket 481

***** VACATED *** REASON: Cont'd from 10/2/18 to 11/6/18 at 2:00 p.m.
per order entered on 9/28/18- st**

Tentative Ruling:

Off calendar. Continued to 11/6/18 at 2:00 p.m. by prior order. No appearances are required on 10/2/18.

Party Information

Debtor(s):

Kathleen Kellogg-Taxe

Represented By
Miri Kim Wakuta
Gregory M Salvato

Trustee(s):

Carolyn A Dye (TR)

Represented By
Carolyn A Dye (TR)
James A Dumas Jr
Miri Kim Wakuta
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#16.00 Hearing re: Motion for reconsideration of turnover of commissions order due to new facts (docket numbers 320 and 323)

Docket 323

Tentative Ruling:

No tentative ruling as of 10/1/18. Appearances are required on 10/2/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#16.10 Hearing re: Motion attacking good faith purchaser and reconsideration on the motion to sell

Docket 319

Tentative Ruling:

No tentative ruling as of 10/1/18. Appearances are required on 10/2/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

#17.00 Cont'd hearing re: Second interim application of Buchalter, a professional corporation for allowance and payment of professional fees and reimbursement of expenses a special litigation counsel for Howard Ehrenberg, chapter 7 trustee fr. 8/21/18

Docket 200

Tentative Ruling:

Updated tentative ruling as of 10/1/18. There are a number of block billed entries by applicant. Block billing lumps together multiple tasks, making it impossible to evaluate their reasonableness. *Role Models America, Inc. v. Brownlee*, 353 F.3d 962, 971 (D.C. Cir. 2004). The court has authority to reduce hours that are billed in block format. *Welch v. Metropolitan Life Insurance Co.*, 480 F.3d 942, 948 (9th Cir. 2007). If applicant wishes to be compensated for the services which have been block billed, it will need to "unblock" the block billed entries and list out the time for each task performed. The blocked billed entries are: Exhibit 3, page 24: 11/6/17, 1.3 hours; Exhibit 3, page 25: 11/9/18, 2.8 hours, 11/13/17, 1.2 hours, 11/14/17, 1.4 hours; Exhibit 3, page 38, 3/29/18, 2.6 hours; Exhibit 3, page 41, 4/6/18, 2.2 hours, 4/8/18, 2.7 hours, 4/8/18, 2.8 hours, 4/9/18, 5.6 hours; Exhibit 3, page 42, 4/11/18, 3.8 hours, 4/18/18, 4.8 hours, 4/20/18, 2.8 hours; Exhibit 3, page 43, 4/24/18, 6.2 hours, 4/25/18, 3.9 hours, Exhibit 3, page 44, 4/26/18, 7.4 hours. Appearances are required on 10/2/18, but counsel may appear by telephone.

Prior tentative ruling. The court has attempted to review the interim fee application, but cannot complete its review because a number of the billing entries have been redacted on grounds of privilege. The court will not rule upon the fee application unless and until applicant submits an unredacted version of the fee application, which it may do so in camera. The court will continue the hearing for 6 weeks, 2 weeks for applicant to submit an unreacted version of the fee application and 4 weeks for the court to review, considering there are over 50 pages of billing entries. Applicant must submit the unredacted version of the billing entries by 9/4/18, and the hearing is continued on the court's own motion to 10/2/18 at 2:30 p.m. No appearances are required on 8/20/18.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

#18.00 Hearing re: Motion to Sell Property of the Estate Free and Clear of Liens under Section 363(f) Debtor's Motion For The Entry Of An Order: (1) Approving The Sale Of Real Property Free And Clear Of All Liens, Claims, Encumbrances, And Interests, With The Exception Of Enumerated Exclusions, Subject To Overbid, (2) Finding That The Buyer Is Good Faith Purchaser, (3) Approving Bidding Procedures And Break-Up Fee, (4) Authorizing And Approving The Payment Of Certain Claims From Sale Proceeds, And (5) Waiving The Fourteen-Day Stay Period Set Forth In Bankruptcy Rule 6004(h)

Docket 313

Tentative Ruling:

No tentative ruling as of 10/1/18. Appearances are required on 10/2/18.
Counsel should appear in person.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

2:18-15022 Diana Christina Peraza

Chapter 7

Adv#: 2:18-01229 Avery v. Peraza

#19.00 Hearing re: Motion for default judgment

Docket 11

Tentative Ruling:

Grant trustee's motion for entry of default judgment for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 10/2/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Diana Christina Peraza Pro Se

Defendant(s):

Diana Christina Peraza Pro Se

Plaintiff(s):

Wesley H Avery Represented By
Carmela Pagay

Trustee(s):

Wesley H Avery (TR) Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

2:18-15022 Diana Christina Peraza

Chapter 7

Adv#: 2:18-01229 Avery v. Peraza

#20.00 Cont's status conference re: Complaint against debtor for denial of discharge
fr. 9/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/2/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report
and continues the status conference on its own motion to 10/2/18 at 2:30
p.m. to be conducted with the hearing on plaintiff's motion for default
judgment. No appearances are required on 9/18/18.

Party Information

Debtor(s):

Diana Christina Peraza Pro Se

Defendant(s):

Diana Christina Peraza Pro Se

Plaintiff(s):

Wesley H Avery Represented By
Carmela Pagay

Trustee(s):

Wesley H Avery (TR) Represented By
Carmela Pagay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

2:18-16822 Kesha L Reed

Chapter 7

#21.00 Order to show cause re dismissal for failure to comply with rule 1006-(b)

Docket 12

***** VACATED *** REASON: Paid in full on 10/1/18-mb.**

Tentative Ruling:

Debtor paid final fee installment payments. Hearing is vacated. No appearances are required on 10/2/18.

Party Information

Debtor(s):

Kesha L Reed

Pro Se

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#22.00 Status conference re: Motion for order to show cause pursuant to Local Bankruptcy Rule 9020-1 why the debtor should not be held in contempt for violating a court order

Docket 36

Tentative Ruling:

No tentative ruling as of 10/1/18. Appearances are required on 10/2/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Seven-Bros Enterprises, Inc.

Represented By
Robert S Marticello
Gregory M Salvato

Trustee(s):

Rosendo Gonzalez

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#23.00 Hearing re: Motion for relief from default and from entry of order for relief/ default judgment pursuant to FRBP 7055 and 9024; or alternatively, for an order abstaining from and dismissing this bankruptcy proceeding pursuant to Bankruptcy Code Section 305(a)

Docket 28

Tentative Ruling:

Sustain creditor's objection to paragraph 5 of the Kaufler declaration, but overrule its objection to paragraphs 6-7 of the declaration.

Sustain creditor's objections to paragraphs 13, 25, 26, 27, 37 and 38 of the Ng Tien Nguyen declaration, but overrule its objections to paragraphs 10, 11, 15, 16, 17, 18, 20, 21, 22, 24 and 35 of the declaration.

Sustain creditor's objections to paragraphs 11, 12, 15, 16 and 17 of the Yau declaration.

Grant debtor's motion for relief from judgment for the reasons stated in the moving papers that excusable neglect is shown under FRBP 9024 and FRCP 60(b)(1) to warrant relief in that while there may be some danger of prejudice to the nonmovant, the prejudice is minimal in light of nonmovant creditor being able to prove its involuntary petition on the merits and the short delay attendant to that, the length of movant's delay and potential impact on judicial proceedings is minimal in light of movant's filing and service of its answer to the involuntary petition on the day that nonmovant creditor filed its request for an order for relief on default and the court entered its order for relief and of nonmovant creditor's being able to prove its case for relief, the reason for delay was due to movant's lack of resources domestically to retain counsel for which it had already discussed representation and who had contacted nonmovant creditor's counsel about retention, and movant acted in good faith in trying to retain counsel promptly in light of its alleged lack of notice and lack of funds domestically to serve and file its answer on time and that its papers indicates colorable defenses to the involuntary petition. In re Rebel Rents, Inc., 326 B.R. 791, 799 (Bankr. C.D. Cal. 2005), citing, Pioneer Investment Services Co. v. Brunswick Associates Limited Partnership, 507 U.S. 380, 395

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

CONT... Seven-Bros Enterprises, Inc.

Chapter 7

(1993). The court also considers the general judicial policy to consider contested matters on the merits rather than on default basis. No tentative ruling on movant's claimed defenses as the court reserves ruling on those defenses until the appropriate hearing. Appearances are required on 10/2/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Seven-Bros Enterprises, Inc.

Represented By
Robert S Marticello
Gregory M Salvato

Trustee(s):

Rosendo Gonzalez

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 2, 2018

Hearing Room 1675

2:30 PM

2:18-18036 Ulis Perez Avina and Marina Alexandra Reyes

Chapter 7

#24.00 Hearing re: Motion to avoid lien with Pakfar Sportswear, Inc.

Docket 12

Tentative Ruling:

Treat as a contested matter under Federal Rule of Bankruptcy Procedure 9014 and set an evidentiary hearing on the motion to avoid lien since there are disputed issues of material fact for trial, i.e., valuation of the subject property. Creditor is an entity and must be represented by counsel as required by Local Bankruptcy Rule 9011-2. The court will not allow creditor's insider to represent the entity and will strike creditor's response and enter default if creditor does not promptly retain counsel to represent it. Moreover, creditor's valuation opinion must be under a declaration under penalty of perjury by a qualified expert witness who sets forth his valuation analysis in accordance with scientifically validated appraisal methodology, such as a sales comparable analysis. Appearances are required on 10/2/18.

Party Information

Debtor(s):

Ulis Perez Avina

Represented By
Michelle A Marchisotto

Joint Debtor(s):

Marina Alexandra Reyes

Represented By
Michelle A Marchisotto

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:11-39746 Barbara Jo Baiz Rodriguez

Chapter 11

#1.00 Order to Show Cause Why (1) Debtor's Chapter 11 Bankruptcy Case Should not be Dismissed for Failure to Appear at the August 1, 2018 Post Confirmation Status Conference and (2) Debtor Should not be Sanctioned \$100 for Failure to Appear

Docket 420

Tentative Ruling:

The court has reviewed debtor's response to the order to show cause and is inclined to discharge (or withdraw) the order to show cause. Appearances are required on 10/3/18.

Party Information

Debtor(s):

Barbara Jo Baiz Rodriguez

Represented By
Jerome S Cohen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:11-39746 Barbara Jo Baiz Rodriguez

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of plan
fr. 11/15/17, 5/23/18, 8/1/18

Docket 203

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/21/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/23/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/17. The court has reviewed debtor's status report. The court notes that the chart is missing the operative date for the amounts required to be paid, though the text of the report states that the date is the date of the report. Debtor needs to clarify the date for the amounts required to be paid. Otherwise, no tentative ruling on the merits. Debtor should also report on the rental situation, i.e., is the Burbank property rented out, and how much are her children paying on the Hacienda Heights property each. Appearances are required on 5/10/17, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Barbara Jo Baiz Rodriguez

Chapter 11

appearance procedures (posted online on the court's website).

Prior tentative ruling as of 11/14/16. The court has reviewed debtor's status report. Appearances are required on 11/16/16, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Prior tentative ruling as of 9/12/16. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/24/16 to discuss scheduling of further proceedings, but self-represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits. Appearances are required on 7/27/16, but self-represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 6/13/16. Off calendar. The court has reviewed debtor's motion requesting an extension of time to file the post-confirmation status report, reporting that she was recently injured, and the court on its own motion continues the status conference to 7/27/16 at 11:00 a.m. with an updated status report due for filing on 7/20/16. No appearances are required on 6/15/16.

Prior tentative ruling as of 3/14/16. The court has reviewed debtor's status report. No tentative ruling. Appearances required on 3/16/16, but self-represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling. Appearances required on 9/16/15, but self-represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 3/3/15. The court has reviewed debtor's status report. No tentative ruling. Appearances required on 3/4/15, but self-

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Barbara Jo Baiz Rodriguez

Chapter 11

represented debtor and counsel may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 9/3/14. The court has reviewed the Debtor's status report filed 7/24/2014. No tentative ruling. Appearances required on 9/4/14.

Prior tentative ruling as of 3/17/14. The court has reviewed the United States Trustee (UST)'s report on discovery efforts and results and debtor's objection to the UST's request for further continuance. No tentative ruling on the merits. Appearances are required on 3/19/14.

Prior tentative ruling as of 2/10/14. No tentative ruling. Plan confirmation may be a contested matter under FRBP 9014 requiring an evidentiary hearing. Objecting parties United States Trustee and Deutsche Bank to show excuse for late filing of objections to plan. Debtor to address feasibility of plan, cramdown plan treatment of Deutsch Bank pursuant to its 11 U.S.C. 1111(b) election (i.e., proposed 23-year payout of secured claim may not be proper) and how Stonger vote and objection should be addressed (i.e., what authority exists to disregard Stonger vote or recognize inconsistent ballots, if they are indeed inconsistent rather than unintentionally mistaken.)). Appearances are required on 2/12/14.

Prior tentative ruling as of 12/2/13. At the last hearing on the disclosure statement, debtor indicated that she would submit financial projections as requested by the United States Trustee. Appearances are required on 12/4/13, but counsel may appear by telephone.

No tentative ruling as of 10/28/13. Appearances are required on 10/30/13. Debtor to address objections of United States Trustee and secured creditor Deutsche Bank. Although a confirmation matter, the court is not inclined to confirm a plan with a 36 year payout on the secured claim since no apparent justification is provided for the protracted payment and such appears to be discriminatory and unduly shifting the risk of lack of plan feasibility to that creditor. Appearances are required on 10/30/13.

Party Information

Debtor(s):

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Barbara Jo Baiz Rodriguez

Chapter 11

Barbara Jo Baiz Rodriguez

Represented By
Jerome S Cohen

Movant(s):

Barbara Jo Baiz Rodriguez

Represented By
Jerome S Cohen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:12-15652 Dale Alfred Williams

Chapter 11

#3.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/25/18, 5/29/18, 8/22/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. The court is still deliberating on the trial in of debtor's objection to the claim of the Internal Revenue Service. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. Off calendar. The court continues the hearing on its own motion to 10/3/18 at 11:00 a.m. No appearances are required on 8/22/18.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 4/25/18 at 11:30 a.m. No appearances are required on 3/27/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court has reviewed

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 3/28/18 at 11:30 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/8/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 2/28/18 at 11:30 a.m. No appearances are required on 1/10/18.

Prior tentative ruling as of 9/11/17. Off calendar. In light of the pending motion of the United States Trustee to dismiss or convert now set for hearing on 10/25/17 at 11:30 a.m., the court on its own motion continues the status conference to 10/25/17 at 11:30 a.m. No appearances are required on 9/13/17.

Prior tentative ruling as of 4/3/17. Off calendar. In light of the pendency of the litigation proceedings involving debtor's objection to the tax claims, the court on its own motion continues the status conference to 9/13/17 at 11:00 a.m. No appearances are required on 4/5/17.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/15/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/16/16 to discuss scheduling of next status

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/9/15. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of litigation disputes of debtor's objection to the IRS claim and creditor Rory Williams's motion to file late-filed claim. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of debtor's objection to the IRS claim. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 8/25/14. Appearances are required on 8/27/14 to schedule a post-confirmation status conference, but counsel may appear by telephone.

Prior tentative ruling. The court continues on its own motion the status conference to 8/27/14 at 11:00 a.m. at which time the court will set a post-confirmation status conference in November 2014 since a post-confirmation status conference was not set at the confirmation hearing on 7/24/14. No appearances are required on 8/21/14

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

Debtor(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

Movant(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century and 400 S.

Chapter 11

#4.00 Hearing re: Motion of Jennifer Kellen for allowance and immediate payment of administrative claim pursuant to 11 U.S.C. § 503(b)(1)(A)(i)

Docket 2375

***** VACATED *** REASON: Cont'd from 10/3/18 to 11/7/18 at 11:00 a.m.
per stip & order entered on 9/13/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 11/7/18 at 11:00 a.m. No appearances are required on 10/3/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#5.00 Hearing re: Motion for protective order to stay discovery, or in the alternative motion to allow counsel to withdrawal as counsel for Ace Gallery New York corporation

Docket 409

***** VACATED *** REASON: Cont'd from 10/3/18 to 10/17/18 at 11:00 a.m. per stip & order entered on 9/14/18-mb.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

Douglas Christmas

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By
Alan W Forsley

ACE MUSEUM, a California

Represented By
Alan W Forsley

400 S La Brea, LLC a California

Represented By
Michael W Vivoli

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Ashley M McDow
Ronald Rus
Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Movant(s):

Douglas Christmas Pro Se

Ace Gallery New York Corporation, Pro Se

ACE MUSEUM, a California Pro Se

ACE MUSEUM, a California Pro Se

Ace Gallery New York Corporation, Pro Se

ACE MUSEUM, a California
Represented By
Alan W Forsley

Ace Gallery New York Corporation, Pro Se

ACE MUSEUM, a California Pro Se

Douglas Christmas
Represented By
Alan W Forsley

Ace Gallery New York Corporation,
Represented By
Alan W Forsley

Douglas Christmas Pro Se

Plaintiff(s):

Official Committee Of Unsecured
Represented By
David J Richardson
Victor A Sahn

THE OFFICIAL COMMITTEE OF
Represented By
Victor A Sahn

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson
Jason Balitzer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:13-26021 L Scott Apparel Inc.

Chapter 11

#6.00 Cont'd status conference re: Post confirmation of plan
fr. 4/25/18, 5/29/18, 8/22/18

Docket 140

Tentative Ruling:

Updated tentative ruling as of 10/1/18. The court is still deliberating on the adversary proceeding and contested matters involving Lowell Sherron and Beyond Basics. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. The court is still deliberating on the adversary proceeding and contested matters involving Lowell Sherron and Beyond Basics. Otherwise, no tentative ruling on the merits. Appearances are required on 8/22/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/19/18. Off calendar. The court continues the status conference on its own motion to 4/25/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/25/18. No appearances are required on 3/21/18.

Prior tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

Corrected tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Updated tentative ruling as of 1/23/17. Off calendar. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 10/17/16. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. In light of the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

current pending litigation, especially the Sharron adversary proceeding, it seems that a further status conference should be set in about 120 days. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 12/1/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 12/2/15, but counsel may appear by telephone.

Prior tentative ruling as of 7/27/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 7/29/15 to discuss scheduling of further post-confirmation proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 3/9/15. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of claims as described in the status report. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/2/14. Appearances are required on 9/3/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 9/3/14 at 11:00 a.m. to allow the parties a limited opportunity to continue in plan modification negotiations. No appearances are required on 8/21/14.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

Kurt Ramlo
Paul J Kurtzhall

Movant(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#7.00 CONT'D TRIAL RE: Final application for approval of compensation and expense reimbursement of Baker & Hostetler LLP fr. 4/25/18, 5/29/18, 8/1/18

Docket 482

Tentative Ruling:

Updated tentative ruling as of 10/1/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. Off calendar. The court continues the hearing on its own motion to 10/3/18 at 11:00 a.m. No appearances are required on 8/1/18.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. Updated tentative ruling as of 5/11/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Ashley McDow. Appearances are required on 5/12/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 5/1/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Marc Benezra. Appearances are required on 5/3/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#8.00 Cont'd hearing re: Motion for entry of order conditionally dismissing bankruptcy case fr. 4/25/18, 5/29/18, 8/1/18

Docket 479

Tentative Ruling:

Updated tentative ruling as of 10/1/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. Appearances are required on 3/22/17.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. The court has concerns regarding the propriety of a "structured" dismissal (called "conditional" dismissal in the moving papers), i.e., whether the record is sufficient to warrant deviation from the normal procedures expressly provided in the Bankruptcy Code, i.e., a liquidating plan, case conversion or straight dismissal without conditions, or whether more broadly, whether structured dismissals are permitted at all, which may be at issue before the Supreme Court in *In re Jevic Holding Corp.*, 787 F.3d 173 (3rd Cir. 2015), cert. granted, *Czyzewski v. Jevic Holding Corp.* 136 S.Ct. 2541 (2016). See also, Transcript of Oral Argument, *Czyzewski v. Jevic Holding Corp.*, No. 15-649

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

(S.Ct., argued December 7, 2016); see also, e.g., Salerno, Hansen, Meyer, Schuster and Barsharis, *Advanced Chapter 11 Bankruptcy Practice*, Section 12.22 (2nd ed. online, 2016 Cum. Supp.); Greenberg, Smith and Taylor, "The Elephant Hiding in the Mousehole": *In re Jevic*, 2016 No. 10 Norton Bankr. L. Adviser NL 1 (online ed., October 2016); Pernick and Dean, "Structured Chapter 11 Dismissals: A Viable and Growing Alternative After Asset Sales," 29 *Am. Bankr. Inst. J.* 1 (June 2010); Eitel, Tinker and Lambert, "Structured Dismissals, or Cases Dismissed Outside of Code's Structure?", 30 *Am. Bankr. Inst. J.* 20 (March 2011). Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#9.00 Cont'd hearing re: Motion for approval of chapter 11 disclosure statement
fr. 4/25/18, 5/29/18, 8/1/18

Docket 157

Tentative Ruling:

Updated tentative ruling as of 10/1/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Updated tentative ruling as of 12/18/17. Off calendar. The court continues

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... **Sarkis Investments Company, LLC** **Chapter 11**

the hearing on its own motion to 1/24/18 at 11:00 a.m. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

Updated tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/15/14. Appearances are required on 4/16/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan. Debtor has indicated that it intends to revise the disclosure statement to address objections of United States Trustee.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

Movant(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#10.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/25/18, 5/29/18, 8/1/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the status conference on its own motion to 12/13/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 12/13/17. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court has reviewed debtor's status report. In that the court is still deliberating on the final fee application of general bankruptcy counsel for debtor, the court continues the status conference on its own motion to 10/25/17 at 1:30 p.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Updated tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

Prior tentative ruling as of 1/25/16. The court has reviewed debtor's status report. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. No tentative ruling on the merits. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

No updated tentative ruling as of 4/15/14. Appearances are required on 4/16/14.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC
and plan.

Chapter 11

Prior tentative ruling as of 3/10/14. No tentative ruling on the merits.
Appearances are required on 3/12/14, but counsel may appear by telephone.

Updated tentative ruling as of 2/24/14. No tentative ruling on the merits.
Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/14. The court has reviewed debtor's status
report and the comments of the secured creditor on status. No tentative
ruling. Appearances are required on 2/5/13, but counsel may appear by
telephone.

Prior tentative ruling as of 11/19/13. The court has reviewed debtor's status
report. No tentative ruling. Appearances are required on 11/20/13, but
counsel may appear by telephone.

Prior tentative ruling as of 10/7/13. No tentative ruling on the merits.
Appearances are required on 10/9/13.

Updated tentative ruling as of 9/18/13. Off calendar. Continued at hearing on
9/17/13 to 10/9/13 at 11:30 a.m. No appearances required on 9/18/13.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 9/18/13, but
counsel may appear by telephone.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#11.00 Cont'd status conference re: Post confirmation of plan
fr. 5/4/18, 5/16/18, 5/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling will be issued for the evidentiary hearing on plan confirmation. Appearances are required on 5/31/18.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits. Appearances are required on 12/14/17, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Swing House Rehearsal and Recording, Inc.
telephone.

Chapter 11

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits. Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#12.00 Cont'd hearing re: Motion for approval of the sufficiency of debtor's chapter 11 disclosure statement describing debtor's plan of reorganization fr. 4/25/18, 8/1/18

Docket 68

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling. Deny approval of disclosure statement because: (1) plan is patently unconfirmable because it modifies loan secured by lien on debtor's principal residence in violation of 11 U.S.C. 1125(b) (plan modifies contractual interest rate on first and second secured home loans) and it does not propose a cure of outstanding arrearages on home mortgages in accordance with 11 U.S.C. 1124(2)(10 year payment of arrearages is discriminatory compared with 5 year payment of general unsecured claims); (2) disclosure statement lacks adequate information regarding plan feasibility since no financial history or financial projections are provided. Appearances are required on 4/25/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By
David I Brownstein

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#13.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/28/18, 4/25/18, 8/1/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/17. The court has reviewed debtor's status report filed on 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

Updated tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Dalton Evonne Grant

Chapter 11

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By
Joshua L Sternberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#14.00 Cont'd hearing re: Motion for approval of compromise of controversy regarding claims for relief that are property of the estate fr. 9/12/18

Docket 232

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling. Deny without prejudice for lack of sufficient notice since not all creditors on the case mailing matrix were served as required by FRBP 9019, 2002 and 9013, including AEC Logistics Corp., BMW Financial Services NA, LLC, Flacco Truck Repair, Internal Revenue Service, Los Angeles County Treasurer and Tax Collector, Nissan and Wells Fargo Financial Leasing Inc., and some creditors were served, but not at all addresses indicated on the mailing matrix. Debtor needs to serve creditors at all of the addresses indicated on the mailing matrix, absent an adequate evidentiary showing that its service list is completely accurate.

The court agrees with debtor that the creditors opposing the motion have not addressed the factors in *In re A & C Properties*, 784 F.2d 1377, 1381 (9th Cir. 1986), that is, the probability of success in the litigation, the difficulties, if any, to be encouraged in the matter of collection, the complexity of the litigation involved, and the expense, inconvenience and delay necessarily attending it and the paramount interest of the creditors and a proper deference to their reasonable views. The objecting creditors merely argue that without discovery, it is premature and not reasonable to evaluate the settlement at this time, and the settlement presents negligible and/or insignificant benefit to the creditors as a whole. These arguments do not address the arguments raised by the motion that the settlement is fair and equitable, given the hazards and cost of the litigation and that the settlement provides value to the estate, which has not been shown to be greater otherwise if the case is not settled, that is, the objecting creditors have not shown that there would be any greater benefit to the estate and creditors through litigation. Saying the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

settlement is of negligible and/or insignificant benefit does not show that there is a better alternative.

Appearances are required on 9/12/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#14.10 Hearing re: Plaintiffs' motion for authority to prosecute claims on behalf of the bankruptcy estate

Docket 250

Tentative Ruling:

No tentative ruling as of 10/2/18. Appearances are required on 10/3/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#15.00 Hearing re: Motion for approval of compromise of controversy regarding claims for relief that are property of the estate

Docket 237

Tentative Ruling:

Updated tentative ruling as of 10/2/18. Sustain debtor's evidentiary objections to paragraph 7 of the declaration of Gregory S. Kim, and overrule the remaining objections. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#15.10 Cont'd hearing re: Motion for order authorizing and approving adequacy of debtor's disclosure statement describing debtor's first amended chapter 11 plan fr. 7/18/18, 9/19/18

Docket 217

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

No tentative ruling as of 7/16/18. Appearances are required on 7/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#15.20 Cont'd status conference re: Management of chapter 11 case
fr. 7/11/18, 7/18/18, 9/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. No tentative ruling on the merits.
Appearances are required on 9/19/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. No tentative ruling on the merits.
Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/10/17. No tentative ruling on the merits.
Appearances are required on 10/11/17, but counsel may appear by
telephone.

Revised tentative ruling as of 7/25/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
7/26/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits, but the court notes that the cash flow projection
described as Exhibit A was not attached to the status report. Appearances

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

are required on 4/19/17 to discuss setting of claims bar date and further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#15.30 Cont'd hearing re: Motion of defendant Ji Kun Lim's to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 6/19/18, 7/18/18, 9/19/18

Docket 13

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Movant(s):

Ji Kun Lim

Represented By
Mette H Kurth

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

- #15.40** Cont'd hearing re: Motion of defendant B & O Logistics to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 6/19/18, 7/18/18, 9/19/18

Docket 8

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court agrees with defendants that actions to set aside fraudulent transfers of assets of a bankruptcy debtor belongs to the bankruptcy estate and may be the basis for a motion to dismiss because actions to collect upon assets of the estate are subject to the automatic stay and relief from stay has not been obtained by the plaintiffs. In re MortgageAmerica Corp., 714 F.2d 1266, 1275 (5th Cir. 1983); In re Curry & Sorenson, Inc., 57 B.R. 824, 827-828 (9th Cir. BAP 1986); but see, In re Colonial Realty Co., 980 F.2d 125, 130-132 (2nd Cir. 1992). As noted by plaintiffs, there is a division in circuit authority as to whether property of the bankruptcy estate includes property subject to a fraudulent transfer avoidance action is part of the bankruptcy estate before the avoidance action. See

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Peter Spero, *Fraudulent Transfers, Prebankruptcy Planning and Exemptions*, Section 3.3 (Westlaw online Sept. 2017 update), citing, *In re MortgageAmerica Corp.*, supra; *In re Colonial Realty Co.*, supra; *Rajala v. Garner*, 709 F.3d 1031 (10th Cir. 2013); *In re Allen*, 768 F.3d 274 (3rd Cir. 2014). There is no definitive case authority in the Ninth Circuit, though the Bankruptcy Appellate Panel of the Ninth Circuit has stated that a fraudulent transfer avoidance action to recover property fraudulently transferred by a bankruptcy debtor is an asset of the debtor's bankruptcy estate. *In re Curry & Sorenson, Inc.*, supra. The court will follow the BAP rule in *Curry & Sorenson, Inc.*, as the current law of the Ninth Circuit.

Having said this, however, before the court rules on defendants' motions to dismiss, the court notes that plaintiffs could obtain authority of this court to allow them as parties other than the trustee or debtor-in-possession to pursue litigation on behalf of the estate (as opposed for themselves only). *In re Curry & Sorenson, Inc.*, supra; *In re Spauding Composites Co.*, 207 B.R. 899, 903 (9th Cir. BAP 1997). If plaintiffs are seeking to enforce their own interests as creditors, the court would thus grant the motions to dismiss, but if plaintiffs are seeking authorization from the court to pursue the litigation on behalf of the estate and its creditors, they should file and serve an appropriate motion, and the court would consider it subject to hearing from other interested parties.

Deny request for an order to show cause and/or sanctions for violation of stay since the stay is not intended to protect non debtor parties. 11 U.S.C. 362(a); see also, *Ingersoll-Rand Financial Corp. v. Miller Mining Co.*, 817 F.2d 1424, 1427 (9th Cir. 1987). Moreover, it would be difficult to show civil contempt here that plaintiffs willfully violated a specific and definite order of the court by clear and convincing evidence, see, e.g., *In re Dyer*, 322 F.3d 1178. 1190-1191 (9th Cir. 2003), in bringing the fraudulent transfer action against defendants, given the uncertainty of the law as indicated by the lack of definitive case authority in the Ninth Circuit and otherwise divided circuit authority on the question of whether a fraudulently transferred property before avoidance is property of a debtor's bankruptcy estate circuit.

Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#15.50 Cont'd hearing re: Joint motion of defendants and debtor to stay adversary proceeding and related deadlines and hearings fr. 6/19/18, 7/18/18, 9/19/18

Docket 44

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#15.60 Cont'd hearing re: Motion for authority to prosecute claims on behalf of the bankruptcy estate
fr. 6/19/18, 7/18/18, 9/19/18

Docket 43

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits.
Appearances are required on 7/18/18, but counsel may appear by telephone.

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#15.70 Cont'd status conference re: Removal of state court action to the United States Bankruptcy Court, Central District, Los Angeles Division fr. 6/19/18, 7/18/18, 9/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court continues the status conference on its own motion to 5/1/18 at 3:00 p.m. to be conducted with the further hearings on defendants' motion to dismiss and in light of plaintiffs' consideration of filing a motion for authorization to prosecute the fraudulent transfer claims on behalf of the estate. No appearances are required on 4/3/18.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Pro Se

Michael Beom Lee

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Sam Kim Pro Se

Yoon Lee Pro Se

Chang Won Choi Pro Se

Joon Rhee Pro Se

Plaintiff(s):

B&O Logistics, Inc. Represented By
Caroline Djang

Ji Kun Lim Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#16.00 Cont'd status conference re: Management of chapter 11 case
fr. 1/17/18, 2/28/18, 5/30/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits.
Appearances are required on 5/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
1/17/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 10/11/17, but
counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#17.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/9/18, 7/11/18, 7/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits.
Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 2/28/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

People Who Care Youth Center, Inc. Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:18-17263 8800 LLC

Chapter 11

#18.00 Cont'd hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)
fr. 7/31/18, 8/7/18, 9/11/18

8800 Sunset Boulevard
West Hollywood, California 90069
Ground Floor Restaurant Space and Adjacent Patio (aka Estrella)

Docket 35

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling.

The courts in the Ninth Circuit have identified various factors relevant to determining whether the automatic stay should be lifted to allow a creditor to continue pending litigation in a non-bankruptcy forum pursuant to 11 U.S.C. § 362(d)(1). *In re Plumberex Specialty Products, Inc.*, 311 B.R. 551, 557-561 (Bankr. C.D. Cal. 2004), *citing inter alia*, *In re Curtis*, 40 B.R. 795, 799-800 (Bankr. D. Utah 1984). As stated by the court in *Plumberex*, these factors are closely related to those that a bankruptcy court must consider in deciding to exercise permissive abstention under 28 U.S.C. §1334(c)(1). 311 B.R. at 558 and n. 13, *citing inter alia*, *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1167 (9th Cir. 1990). The twelve permissive abstention/stay relief factors set forth by the Ninth Circuit in *Tucson Estates* which this court normally considers are:

1. The effect or lack thereof on the efficient administration of the estate if a court recommends remand. This factor does not favor stay relief. Debtor's lease is one of the primary assets of its estate, and the leased premises are Debtor's principal place of business where most of its assets are located. Debtor intends to file a motion to assume the lease under 11 U.S.C. §365, which will have a major impact on Debtor's prospects for

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

reorganization in this case, and in order for the court to determine the lease assumption motion, the court will have to make the determinations of the not yet judicially determined issues of state law of the validity of the lease termination by Landlord and any claim of relief from lease forfeiture by Debtor, which are intertwined with the lease assumption motion issues. *In re Art and Architecture Books of the 21st Century*, No. 2:13-bk-14135-RK Chapter 11 (Bankr. C.D. Cal., statement of decision filed on April 15, 2013), *citing, In re Turbowind, Inc.*, 42 B.R. 579, 583 (Bankr. S.D. Cal. 1984). This bankruptcy court has authority to decide the state law issues of validity of lease termination and lease forfeiture relief. *Id.*, *citing, In re Windmill Farms, Inc.*, 841 F.2d 1467, 1468-1474 (9th Cir. 1988); *see also, Matter of Escondido West Travelodge*, 52 B.R. 376, 382 (S.D. Cal. 1985). The Landlord's unlawful detainer action for which stay relief is sought concerns the estate's leasehold interest, and Debtor's ability to assume the lease and continue its business operations would be affected by the outcome of that action.

2. The extent to which state law issues predominate over bankruptcy issues. This factor favors stay relief because the removed unlawful detainer action of Landlord was initially filed in state court and is based on a state law claim, though Debtor plans to litigate bankruptcy claims under to 11 U.S.C. §§ 365, 541, 547 and 548 related to Landlord's state law claim.

3. The difficulty or unsettled nature of the applicable law. This factor is neutral because the Landlord's unlawful detainer action does not involve law which is difficult or unsettled in nature.

4. The presence of a related proceeding commenced in state court or other non-bankruptcy court. This factor favors stay relief because Landlord's unlawful detainer action was filed in state court and a trial date was set in that action, though the court notes Debtor's argument that there are no longer proceedings in state court due to the removal. *Security Farms v. International Brotherhood of Teamsters, etc.*, 124 F.3d 999, 1010 (9th Cir. 1997).

5. The jurisdictional basis, if any, other than 28 U.S.C. § 1334. This factor favors stay relief because Landlord's unlawful detainer is noncore. The

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

Ninth Circuit observed that if a proceeding does not invoke a substantive right created by federal bankruptcy law and if it could exist outside of bankruptcy, it is noncore. *In re Eastport Associates*, 935 F.2d 1071, 1076 (9th Cir. 1991). (Landlord has not filed a proof of claim which would be a core proceeding relating to the same substantive claim. *In re Thorpe Insulation Co.*, 671 F.3d 1011, 1021 (9th Cir. 2012). *See also, Schultze v. Chandler*, 765 F.3d 945, 950-951 (9th Cir. 2014)(state law claim against estate professional arising in case under Bankruptcy Code was core proceeding)). Landlord's unlawful detainer action could exist outside of bankruptcy, and are thus noncore, and thus, the court exercises only its "related to" jurisdiction under 28 U.S.C. § 1334 to determine Debtor's motion to assume the lease pursuant to 11 U.S.C. § 365 and its claims pursuant to 11 U.S.C. §§ 541, 547 and 548.

6. The degree of relatedness or remoteness of the proceeding to the main bankruptcy case. This factor does not favor stay relief because if Debtor is not able to assume the lease, Debtor will not be able to reorganize.

7. The substance rather than form of an asserted "core" proceeding. This factor favors stay relief. Landlord's unlawful detainer action as stated above is noncore. However, as also noted above, the outcome of the unlawful detainer action which is related to the lease will have substantial impact on the outcome of Debtor's efforts to reorganize in this Chapter 11 bankruptcy case.

8. The feasibility of severing state law claims from core bankruptcy matters to allow judgments to be entered in state court with enforcement left to the bankruptcy court. This factor does not favor stay relief because the unlawful detainer action and the bankruptcy law matter of lease assumption are interrelated.

9. The burden on the bankruptcy court's docket. This factor is neutral.

10. The likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties. This factor favors stay relief because arguably, Debtor is engaging in forum shopping because that it removed the unlawful detainer action to this court

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

after a trial was set in state court in that action.

11. The existence of a right to a jury trial. This factor does not favor stay relief. Landlord does not have a right to jury trial on its unlawful detainer action or on Debtor's intended lease assumption motion.

12. The presence in the proceeding of nondebtor parties. This factor does not favor stay relief since Debtor and Landlord are the only parties involved in these actions.

In weighing the various stay relief factors, the court is inclined to deny the remand motions under the circumstances of this case because the resolution of the unlawful detainer action will substantially impact Debtor's ability to effectively reorganize and that litigation of the removed action and related bankruptcy claims of lease assumption and transfer avoidance can and should be litigated in a single forum to effectuate the purposes of the Bankruptcy Code which include "[c]entralization of disputes concerning a debtor's legal obligations" and "protecting creditors and reorganizing debtors from piecemeal litigation." *In re Thorpe Insulation Co.*, 671 F.3d at 1022-1023.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:18-17263 8800 LLC

Chapter 11

#19.00 Cont'd hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)
fr. 7/31/18, 8/7/18, 9/11/18

TMC Realty, LLC v. 8800 Sunset, LLC and 8800 LLC
LASC Case Number SC129282

Docket 34

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling.

The courts in the Ninth Circuit have identified various factors relevant to determining whether the automatic stay should be lifted to allow a creditor to continue pending litigation in a non-bankruptcy forum pursuant to 11 U.S.C. § 362(d)(1). *In re Plumberex Specialty Products, Inc.*, 311 B.R. 551, 557-561 (Bankr. C.D. Cal. 2004), *citing inter alia*, *In re Curtis*, 40 B.R. 795, 799-800 (Bankr. D. Utah 1984). As stated by the court in *Plumberex*, these factors are closely related to those that a bankruptcy court must consider in deciding to exercise permissive abstention under 28 U.S.C. §1334(c)(1). 311 B.R. at 558 and n. 13, *citing inter alia*, *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1167 (9th Cir. 1990). The twelve permissive abstention/stay relief factors set forth by the Ninth Circuit in *Tucson Estates* which this court normally considers are:

1. The effect or lack thereof on the efficient administration of the estate if a court recommends remand. This factor does not favor stay relief. Debtor's lease is one of the primary assets of its estate, and the leased premises are Debtor's principal place of business where most of its assets are located. Debtor intends to file a motion to assume the lease under 11 U.S.C. §365, which will have a major impact on Debtor's prospects for reorganization in this case, and in order for the court to determine the lease

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

assumption motion, the court will have to make the determinations of the not yet judicially determined issues of state law of the validity of the lease termination by Landlord and any claim of relief from lease forfeiture by Debtor, which are intertwined with the lease assumption motion issues. *In re Art and Architecture Books of the 21st Century*, No. 2:13-bk-14135-RK Chapter 11 (Bankr. C.D. Cal., statement of decision filed on April 15, 2013), *citing, In re Turbowind, Inc.*, 42 B.R. 579, 583 (Bankr. S.D. Cal. 1984). This bankruptcy court has authority to decide the state law issues of validity of lease termination and lease forfeiture relief. *Id.*, *citing, In re Windmill Farms, Inc.*, 841 F.2d 1467, 1468-1474 (9th Cir. 1988); *see also, Matter of Escondido West Travelodge*, 52 B.R. 376, 382 (S.D. Cal. 1985). Debtor's breach of lease action for which stay relief is sought concerns the estate's leasehold interest, and Debtor's ability to assume the lease and continue its business operations would be affected by the outcome of that action.

- 2. The extent to which state law issues predominate over bankruptcy issues.** This factor favors stay relief because the removed breach of lease action of Debtor was initially filed in state court and is based on a state law claim, though Debtor plans to litigate bankruptcy claims under to 11 U.S.C. §§ 365, 541, 547 and 548 related to the lease.
- 3. The difficulty or unsettled nature of the applicable law.** This factor is neutral because Debtor's breach of lease action does not involve law which is difficult or unsettled in nature.
- 4. The presence of a related proceeding commenced in state court or other non-bankruptcy court.** This factor favors stay relief because Debtor's breach of lease was filed in state court, though the court notes Debtor's argument that there are no longer proceedings in state court due to the removal. *Security Farms v. International Brotherhood of Teamsters, etc.*, 124 F.3d 999, 1010 (9th Cir. 1997).
- 5. The jurisdictional basis, if any, other than 28 U.S.C. § 1334.** This factor favors stay relief because Debtor's breach of lease claims are noncore. The Ninth Circuit observed that if a proceeding does not invoke a substantive right created by federal bankruptcy law and if it could exist outside of bankruptcy, it is noncore. *In re Eastport Associates*, 935 F.2d 1071, 1076 (9th

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

Cir. 1991). See also, *Schultze v. Chandler*, 765 F.3d 945, 950-951 (9th Cir. 2014)(state law claim against estate professional arising in case under Bankruptcy Code was core proceeding)). Debtor's breach of lease action could exist outside of bankruptcy, and are thus noncore, and thus, the court exercises only its "related to" jurisdiction under 28 U.S.C. §1334 to determine Debtor's motion to assume the lease pursuant to 11 U.S.C. § 365 and its claims pursuant to 11 U.S.C. §§ 541, 547 and 548.

6. The degree of relatedness or remoteness of the proceeding to the main bankruptcy case. This factor does not favor stay relief because if Debtor's claims are related to its intended motion to assume the lease, without which it will not be able to reorganize.

7. The substance rather than form of an asserted "core" proceeding. This factor favors stay relief. Debtor's breach of lease action as stated above is noncore. However, as also noted above, the outcome of this action which is related to the lease may have substantial impact on the outcome of Debtor's efforts to reorganize in this Chapter 11 bankruptcy case.

8. The feasibility of severing state law claims from core bankruptcy matters to allow judgments to be entered in state court with enforcement left to the bankruptcy court. This factor does not favor stay relief because Debtor's breach of lease action and the bankruptcy law matter of lease assumption appear to be interrelated.

9. The burden on the bankruptcy court's docket. This factor is neutral.

10. The likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties. This factor favors stay relief because arguably, Debtor is engaging in forum shopping because that it removed the breach of lease action to this court after a trial in Landlord's related unlawful detainer action was set in state court.

11. The existence of a right to a jury trial. This factor favors stay relief. Landlord probably has a right to a jury trial on Debtor's breach of lease action

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

against it, though Landlord can exercise any rights to a jury trial in that action pursuant to Fed. R. Bankr. P. 9015 and Fed. R. Civ. P. 38(b).

12. The presence in the proceeding of nondebtor parties. This factor does not favor stay relief since Debtor and Landlord are the only parties involved in the removed action.

In weighing the various stay relief factors, the court is inclined to deny the remand motions under the circumstances of this case because the resolution of Debtor's breach of lease claims may substantially impact Debtor's ability to effectively reorganize because it is related to its bankruptcy claims of lease assumption and transfer avoidance can and should be litigated in a single forum to effectuate the purposes of the Bankruptcy Code which include "[c]entralization of disputes concerning a debtor's legal obligations" and "protecting creditors and reorganizing debtors from piecemeal litigation." *In re Thorpe Insulation Co.*, 671 F.3d 1011, 1022-1023 (9th Cir. 2012).

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:18-17263 8800 LLC

Chapter 11

#20.00 Hearing re: Motion of debtor to assume lease

Docket 67

Tentative Ruling:

Revised tentative ruling as of 10/1/18 at 6:00 p.m.:

Treat motion to assume lease as a contested matter under FRBP 9014 because there are disputed issues of material fact that may require an evidentiary hearing to resolve (including debtor's status as tenant in fact as opposed to being listed on the lease, whether landlord validly invoked the recapture provisions of the lease, whether debtor has the ability to perform the lease if assumed) and treat hearing as a status conference to schedule further pretrial and trial proceedings. See *In re Gentile Family Industries*, 2014 WL 4091001 (9th Cir. BAP 2014)(acknowledging but not deciding whether the Ninth Circuit's decision in *In re G.I. Industries, Inc.*, 204 F.3d 1276 (9th Cir. 2000), citing, *In re Orion Pictures Corp.*, 4 F.3d 1095 (2nd Cir. 1993), should be broadly or narrowly construed; see also, *In re Miller*, 2016 WL 1316763 (Bankr. D. Mont. 2016)(narrowly construing *G.I. Industries* to rejection of an executory contract or lease). The court is inclined to agree with Debtor that the applicable rule is the two-step analysis for determining whether a lease may be assumed under 11 U.S.C. 365 set forth in *In re Waterkist Corp.* 775 F.2d 1089 (9th Cir. 1985) and *In re Windmill Farms, Inc.*, 841 F.2d 1467 (9th Cir. 1988). Landlord argues that *G.I. Industries*, following *Orion Pictures*, having a circumscribed view of the analysis of a motion to assume or reject a contract applies here, but that would mean that *G.I. Industries* impliedly overruled the two-part rule in *Waterkist Corp.* Landlord argues that *G.I. Industries* governs because it is a later pronouncement by the circuit, but that may not be right because it generally takes an en banc panel decision to overrule the case precedent of a prior circuit panel and arguably, the two-part rule involves a narrow, specific issue of lease assumption rather than general issue of assumption or rejection of executory contracts, and thus, the specific takes precedence over the general. The court hesitates to reach a conclusion on whether *Waterkist* was overruled by *G.I. Industries* in

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

some fashion since this has not been adequately briefed by the parties and the court's research is preliminary and incomplete. However, the state of the case law in the circuit may be in flux as shown by the BAP's unpublished decision in Gentile Family Industries referring both to G.I. Industries and Windmill Farms, but not to the two-rule rule specifically. Since the motion for the assumption of the lease is important to the parties, and perhaps decisive of debtor's reorganization prospects, it makes sense to decide the motion in a contested matter to resolve factual issues. The court understands Landlord prefers deciding the contract dispute issues in state court as indicated in its stay relief and remand motions, but it seems that the court has jurisdiction to decide such issues in a contested matter or adversary proceeding related to lease assumption. The court's approach in In re Belasco Unlimited Corp., No. 2:14-bk-26546-BR Chapter 11 (Bankr. C.D. Cal., findings of fact and conclusions of law after evidentiary hearing on motion to assume lease, filed and entered on April 8, 2015) is illustrative and is consistent with the holding in Gentile Family Industries.

Tentative rulings on TMC Realty, Inc.'s evidentiary objections to the declaration of Alan Nathan:

- Objection #1 (page: line(s) 37:6-10): Overrule.
- Objection #2 (39:13-15): Overrule.
- Objection #3 (39:19-21): Sustain - lack of foundation.
- Objection #4 (39:25-26): Sustain - lack of foundation.
- Objection #5 (40:6-10): Sustain - improper opinion.
- Objection #6 (40:18-22): Sustain as to phrases "In contravention of the Lease" and "improperly and prematurely"- improper opinion, otherwise overrule.
- Objection #7 (40:25-27): Sustain - lack of foundation, improper opinion.
- Objection #8 (41:15-17): Sustain - lack of foundation, improper opinion.
- Objection #9 (41:26-27): Sustain - improper opinion.
- Objection #10 (42:13-17): Sustain - improper opinion.
- Objection #11 (43:21-23): Sustain as to phrase "and gave express consent for the Debtor to possess and operate at the Premises under the Lease" - improper opinion, otherwise overrule.
- Objection #12 (44:13-16): Sustain - improper opinion.
- Objection #13 (44:17-21): Sustain - improper opinion.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

Objection #14 (44:22-26): Sustain - improper opinion.
Objection #15 (46:21-47:2): Sustain - improper opinion.
Objection #16 (48:14-18): Sustain as to sentence, "As set forth above, the Debtor's financial problems were precipitated, in-part, by the Landlord's demand and actions to prematurely and improperly terminate the Lease." - improper opinion. Sustain as to sentences, "However, Debtor is operating profitably. Attached as 'Exhibit 14 hereto is the Debtor's projection of income and expenses through September 30, 2023. These projections show that the Debtor can satisfy its future obligations under the Lease." - lack of foundation.

The court comments that Mr. Nathan's improper opinions are disguised arguments which are not relevant and best left to counsel in briefing and that Debtor will need to provide a factual foundation for Mr. Nathan's testimony about the preparation of the Debtor's financial projections (i.e., describing who made the projections, what data was relied upon for the projections and what reasonable assumptions were made for such projections).

Appearances are required on 10/3/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:18-17263 8800 LLC

Chapter 11

#21.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/22/18, 9/11/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/10/18. No tentative ruling on the merits.
Appearances are required on 9/12/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 8/22/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01236 8800 LLC v. TMC Realty, L.L.C.

#22.00 Cont'd hearing re: Motion to remand adversary proceeding
fr. 9/11/18

Docket 15

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling.

28 U.S.C. § 1452(b) provides that "[t]he court to which such claim or cause of action is removed may remand such claim or cause of action on any equitable ground." 28 U.S.C. § 1452(b). This standard is "an unusually broad grant of authority" which allows for remand for reasons beyond those typical of non-bankruptcy removal statutes. *In re McCarthy*, 230 B.R. 414, 417 (9th Cir. BAP 1999). Bankruptcy courts may consider up to fourteen factors in deciding whether to remand an action to the non-bankruptcy forum pursuant to 28 U.S.C. § 1452(b). *In re Cedar Funding, Inc.*, 419 B.R. 807, 820-821 and n.18 (9th Cir. BAP 2009), citing *In re Enron Corp.*, 296 B.R. 505, 508 n.2 (C.D. Cal. 2003); *In re Cytodyn of New Mexico, Inc.*, 374 B.R. 733, 738 (Bankr. C.D. Cal. 2007). The fourteen equitable remand factors are:

1. The effect or lack thereof on the efficient administration of the estate if a court recommends remand. This factor does not favor remand. Debtor's lease is one of the primary assets of its estate, and the leased premises are Debtor's principal place of business where most of its assets are located. Debtor intends to file a motion to assume the lease under 11 U.S.C. §365, which will have a major impact on Debtor's prospects for reorganization in this case, and in order for the court to determine the lease assumption motion, the court will have to make the determinations of the not yet judicially determined issues of state law of the validity of the lease termination by Landlord and any claim of relief from lease forfeiture by Debtor, which are intertwined with the lease assumption motion issues. *In re*

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

Art and Architecture Books of the 21st Century, No. 2:13-bk-14135-RK Chapter 11 (Bankr. C.D. Cal., statement of decision filed on April 15, 2013), *citing, In re Turbowind, Inc.*, 42 B.R. 579, 583 (Bankr. S.D. Cal. 1984). This bankruptcy court has authority to decide the state law issues of validity of lease termination and lease forfeiture relief. *Id.*, *citing, In re Windmill Farms, Inc.*, 841 F.2d 1467, 1468-1474 (9th Cir. 1988); *see also, Matter of Escondido West Travelodge*, 52 B.R. 376, 382 (S.D. Cal. 1985). The removed Landlord's unlawful detainer action and Debtor's breach of lease action concern the estate's leasehold interest, and Debtor's ability to assume the lease and continue its business operations will be dependent on the outcome of these actions.

2. The extent to which state law issues predominate over bankruptcy issues. This factor favors remand because the removed unlawful detainer and breach of lease actions were initially filed in state court and are based on state law claims, though Debtor plans to litigate bankruptcy claims under to 11 U.S.C. §§ 365, 541, 547 and 548 related to these state law claims.

3. The difficulty or unsettled nature of the applicable law. This factor is neutral because the removed actions do not involve law which is difficult or unsettled in nature.

4. The presence of a related proceeding commenced in state court or other non-bankruptcy court. This factor favors remand because both removed actions were filed in state court and a trial date was set in the unlawful detainer action, though the court notes Debtor's argument that there are no longer proceedings in state court due to the removal. *Security Farms v. International Brotherhood of Teamsters, etc.*, 124 F.3d 999, 1010 (9th Cir. 1997).

5. The jurisdictional basis, if any, other than 28 U.S.C. § 1334. This factor favors remand because the removed actions are noncore. The Ninth Circuit observed that if a proceeding does not invoke a substantive right created by federal bankruptcy law and if it could exist outside of bankruptcy, it is noncore. *In re Eastport Associates*, 935 F.2d 1071, 1076 (9th Cir. 1991). (Landlord has not filed a proof of claim which would be a core proceeding

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

relating to the same substantive claim. *In re Thorpe Insulation Co.*, 671 F.3d 1011, 1021 (9th Cir. 2012). *See also, Schultze v. Chandler*, 765 F.3d 945, 950-951 (9th Cir. 2014)(state law claim against estate professional arising in case under Bankruptcy Code was core proceeding)). Both removed actions could exist outside of bankruptcy, and are thus noncore, and thus, the court exercises only its "related to" jurisdiction under 28 U.S.C. §1334 to determine Debtor's motion to assume the lease pursuant to 11 U.S.C. § 365 and its claims pursuant to 11 U.S.C. §§ 541, 547 and 548.

6. The degree of relatedness or remoteness of the proceeding to the main bankruptcy case. This factor does not favor remand because if Debtor is not able to assume the lease, Debtor will not be able to reorganize.

7. The substance rather than form of an asserted "core" proceeding. This factor favors remand. While arguably state law contract claims fall within the catch-all provisions of 28 U.S.C. § 157(b)(2)(O) to be considered "non-core" related proceedings under 11 U.S.C. § 157(c), *In re Castlerock Properties*, 781 F.2d 159, 162 (9th Cir. 1986), the removed actions as stated above are noncore. However, as also noted above, the outcome of the removed actions which are related to the lease will have substantial impact on the outcome of Debtor's efforts to reorganize in this Chapter 11 bankruptcy case.

8. The feasibility of severing state law claims from core bankruptcy matters to allow judgments to be entered in state court with enforcement left to the bankruptcy court. This factor does not favor remand because the state law claims and the bankruptcy law matter of lease assumption are interrelated.

9. The burden on the bankruptcy court's docket. This factor is neutral.

10. The likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties. This factor favors remand because arguably, Debtor is engaging in forum shopping because that it removed the actions from state court to this court after a trial was set in state court in Landlord's unlawful detainer action.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

11. The existence of a right to a jury trial. This factor is mixed, but on the whole does not favor remand. Landlord does not have a right to jury trial on its unlawful detainer action or on Debtor's intended lease assumption motion. Landlord probably has a right to a jury trial on Debtor's breach of lease action against it, but Landlord can exercise any rights to a jury trial in that action pursuant to Fed. R. Bankr. P. 9015 and Fed. R. Civ. P. 38(b).

12. The presence in the proceeding of nondebtor parties. This factor does not favor remand since Debtor and Landlord are the only parties involved in these actions.

13. Comity. This factor favors remand. Allowing state courts to adjudicate state law claims, as the Ninth Circuit Bankruptcy Appellate Panel has indicated that "[n]eedless decisions of state law by federal courts should be avoided as a matter of comity . . . in order to procure for the litigants 'a surer-footed reading of applicable law.'" *In re Casamont Investors, Ltd.*, 196 B.R. 517, 524 (9th Cir. BAP 1996), citing *United Mine Workers v. Gibbs*, 383 U.S. 715, 726 (1966).

14. The possibility of prejudice to other parties in the action. This factor does not favor remand. There will be no prejudice to other parties because the issues relating to the lease in both actions can be litigated in the bankruptcy court.

In weighing the various equitable remand factors, the court is inclined to deny the remand motions under the circumstances of this case because the resolution of the claims will substantially impact Debtor's ability to effectively reorganize and that litigation of the removed actions and related bankruptcy claims of lease assumption and transfer avoidance can and should be litigated in a single forum to effectuate the purposes of the Bankruptcy Code which include "[c]entralization of disputes concerning a debtor's legal obligations" and "protecting creditors and reorganizing debtors from piecemeal litigation." *In re Thorpe Insulation Co.*, 671 F.3d at 1022-1023.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

Defendant(s):

TMC Realty, L.L.C.

Represented By
Carl Grumer
Ivan L Kallick

Plaintiff(s):

8800 LLC

Represented By
Martin J Brill
Jeffrey S Kwong
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01236 8800 LLC v. TMC Realty, L.L.C.

#23.00 Cont'd status conference re: Removal Of Civil Action Under 28 U.S.C. § 1452(a)
fr. 8/28/18, 9/11/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

No tentative ruling as of 9/10/18. Appearances are required on 9/11/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

Defendant(s):

TMC Realty, L.L.C.

Pro Se

Plaintiff(s):

8800 LLC

Represented By
Martin J Brill
Jeffrey S Kwong
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01237 TMC Realty, LLC v. 8800 Sunset LLC et al

#24.00 Cont'd hearing re: Motion to remand adversary proceeding
fr. 9/11/18

Docket 12

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling.

28 U.S.C. § 1452(b) provides that "[t]he court to which such claim or cause of action is removed may remand such claim or cause of action on any equitable ground." 28 U.S.C. § 1452(b). This standard is "an unusually broad grant of authority" which allows for remand for reasons beyond those typical of non-bankruptcy removal statutes. *In re McCarthy*, 230 B.R. 414, 417 (9th Cir. BAP 1999). Bankruptcy courts may consider up to fourteen factors in deciding whether to remand an action to the non-bankruptcy forum pursuant to 28 U.S.C. § 1452(b). *In re Cedar Funding, Inc.*, 419 B.R. 807, 820-821 and n.18 (9th Cir. BAP 2009), citing *In re Enron Corp.*, 296 B.R. 505, 508 n.2 (C.D. Cal. 2003); *In re Cytodyn of New Mexico, Inc.*, 374 B.R. 733, 738 (Bankr. C.D. Cal. 2007). The fourteen equitable remand factors are:

1. The effect or lack thereof on the efficient administration of the estate if a court recommends remand. This factor does not favor remand. Debtor's lease is one of the primary assets of its estate, and the leased premises are Debtor's principal place of business where most of its assets are located. Debtor intends to file a motion to assume the lease under 11 U.S.C. §365, which will have a major impact on Debtor's prospects for reorganization in this case, and in order for the court to determine the lease assumption motion, the court will have to make the determinations of the not yet judicially determined issues of state law of the validity of the lease termination by Landlord and any claim of relief from lease forfeiture by Debtor, which are intertwined with the lease assumption motion issues. *In re*

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

Art and Architecture Books of the 21st Century, No. 2:13-bk-14135-RK Chapter 11 (Bankr. C.D. Cal., statement of decision filed on April 15, 2013), *citing, In re Turbowind, Inc.*, 42 B.R. 579, 583 (Bankr. S.D. Cal. 1984). This bankruptcy court has authority to decide the state law issues of validity of lease termination and lease forfeiture relief. *Id.*, *citing, In re Windmill Farms, Inc.*, 841 F.2d 1467, 1468-1474 (9th Cir. 1988); *see also, Matter of Escondido West Travelodge*, 52 B.R. 376, 382 (S.D. Cal. 1985). The removed Landlord's unlawful detainer action and Debtor's breach of lease action concern the estate's leasehold interest, and Debtor's ability to assume the lease and continue its business operations will be dependent on the outcome of these actions.

2. The extent to which state law issues predominate over bankruptcy issues. This factor favors remand because the removed unlawful detainer and breach of lease actions were initially filed in state court and are based on state law claims, though Debtor plans to litigate bankruptcy claims under to 11 U.S.C. §§ 365, 541, 547 and 548 related to these state law claims.

3. The difficulty or unsettled nature of the applicable law. This factor is neutral because the removed actions do not involve law which is difficult or unsettled in nature.

4. The presence of a related proceeding commenced in state court or other non-bankruptcy court. This factor favors remand because both removed actions were filed in state court and a trial date was set in the unlawful detainer action, though the court notes Debtor's argument that there are no longer proceedings in state court due to the removal. *Security Farms v. International Brotherhood of Teamsters, etc.*, 124 F.3d 999, 1010 (9th Cir. 1997).

5. The jurisdictional basis, if any, other than 28 U.S.C. § 1334. This factor favors remand because the removed actions are noncore. The Ninth Circuit observed that if a proceeding does not invoke a substantive right created by federal bankruptcy law and if it could exist outside of bankruptcy, it is noncore. *In re Eastport Associates*, 935 F.2d 1071, 1076 (9th Cir. 1991). (Landlord has not filed a proof of claim which would be a core proceeding

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

relating to the same substantive claim. *In re Thorpe Insulation Co.*, 671 F.3d 1011, 1021 (9th Cir. 2012). *See also, Schultze v. Chandler*, 765 F.3d 945, 950-951 (9th Cir. 2014)(state law claim against estate professional arising in case under Bankruptcy Code was core proceeding)). Both removed actions could exist outside of bankruptcy, and are thus noncore, and thus, the court exercises only its "related to" jurisdiction under 28 U.S.C. §1334 to determine Debtor's motion to assume the lease pursuant to 11 U.S.C. § 365 and its claims pursuant to 11 U.S.C. §§ 541, 547 and 548.

6. The degree of relatedness or remoteness of the proceeding to the main bankruptcy case. This factor does not favor remand because if Debtor is not able to assume the lease, Debtor will not be able to reorganize.

7. The substance rather than form of an asserted "core" proceeding. This factor favors remand. While arguably state law contract claims fall within the catch-all provisions of 28 U.S.C. § 157(b)(2)(O) to be considered "non-core" related proceedings under 11 U.S.C. § 157(c), *In re Castlerock Properties*, 781 F.2d 159, 162 (9th Cir. 1986), the removed actions as stated above are noncore. However, as also noted above, the outcome of the removed actions which are related to the lease will have substantial impact on the outcome of Debtor's efforts to reorganize in this Chapter 11 bankruptcy case.

8. The feasibility of severing state law claims from core bankruptcy matters to allow judgments to be entered in state court with enforcement left to the bankruptcy court. This factor does not favor remand because the state law claims and the bankruptcy law matter of lease assumption are interrelated.

9. The burden on the bankruptcy court's docket. This factor is neutral.

10. The likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties. This factor favors remand because arguably, Debtor is engaging in forum shopping because that it removed the actions from state court to this court after a trial was set in state court in Landlord's unlawful detainer action.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

11. The existence of a right to a jury trial. This factor is mixed, but on the whole does not favor remand. Landlord does not have a right to jury trial on its unlawful detainer action or on Debtor's intended lease assumption motion. Landlord probably has a right to a jury trial on Debtor's breach of lease action against it, but Landlord can exercise any rights to a jury trial in that action pursuant to Fed. R. Bankr. P. 9015 and Fed. R. Civ. P. 38(b).

12. The presence in the proceeding of nondebtor parties. This factor does not favor remand since Debtor and Landlord are the only parties involved in these actions.

13. Comity. This factor favors remand. Allowing state courts to adjudicate state law claims, as the Ninth Circuit Bankruptcy Appellate Panel has indicated that "[n]eedless decisions of state law by federal courts should be avoided as a matter of comity . . . in order to procure for the litigants 'a surer-footed reading of applicable law.'" *In re Casamont Investors, Ltd.*, 196 B.R. 517, 524 (9th Cir. BAP 1996), citing *United Mine Workers v. Gibbs*, 383 U.S. 715, 726 (1966).

14. The possibility of prejudice to other parties in the action. This factor does not favor remand. There will be no prejudice to other parties because the issues relating to the lease in both actions can be litigated in the bankruptcy court.

In weighing the various equitable remand factors, the court is inclined to deny the remand motions under the circumstances of this case because the resolution of the claims will substantially impact Debtor's ability to effectively reorganize and that litigation of the removed actions and related bankruptcy claims of lease assumption and transfer avoidance can and should be litigated in a single forum to effectuate the purposes of the Bankruptcy Code which include "[c]entralization of disputes concerning a debtor's legal obligations" and "protecting creditors and reorganizing debtors from piecemeal litigation." *In re Thorpe Insulation Co.*, 671 F.3d at 1022-1023.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... 8800 LLC

Chapter 11

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

Defendant(s):

8800 Sunset LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

8800 LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

Plaintiff(s):

TMC Realty, LLC

Represented By
Carl Grumer
Ivan L Kallick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01237 TMC Realty, LLC v. 8800 Sunset LLC et al

#25.00 Cont'd status conference re: Removal Of Civil Action Under 28 U.S.C. § 1452(a)
fr. 8/28/18, 9/11/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

No tentative ruling as of 9/10/18. Appearances are required on 9/11/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

Defendant(s):

8800 Sunset LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

8800 LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

Plaintiff(s):

TMC Realty, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:13-12977 Dowent Family LLC

Chapter 11

#25.10 Cont'd status conference re: Management of chapter 11 case
fr. 4/25/18, 5/29/18, 8/1/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/19/18. Off calendar. The court continues the status conference on its own motion to 4/25/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/25/18. No appearances are required on 3/21/18.

Prior tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Prior tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Prior tentative ruling as of 1/23/17. Off calendar. The court continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 11/28/16. Off calendar. The court continues the status conference on its own motion to 1/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/25/17. No appearances are required on 11/30/16.

Prior tentative ruling as of 10/24/16. Off calendar. The court continues the status conference on its own motion to 11/29/16 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 11/29/16. No appearances are required on 10/26/16.

Prior tentative ruling as of 9/26/16. Off calendar. The court has reviewed

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC

Chapter 11

debtor's status report and continues the status conference on its own motion to 10/26/16 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/26/16. No appearances are required on 9/27/16.

Prior tentative ruling as of 7/25/16. Appearances are required on 7/27/16, but counsel may appear by telephone.

Updated tentative ruling as of 1/12/16. The court has reviewed debtor's status report. Appearances are required on 1/13/16, but counsel may appear by telephone.

No updated tentative ruling as of 9/8/15. Appearances are required on 9/9/15, but counsel may appear by telephone.

Prior tentative ruling as of 7/6/15. No tentative ruling on the merits. Appearances are required on 7/8/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/30/15. Appearances required on 3/31/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/30/15. Appearances required on 3/31/15, but counsel may appear by telephone.

Prior tentative ruling as of 9/29/14. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 10/1/14, but counsel may appear by telephone.

Updated tentative ruling as of 6/16/14. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 6/18/14, but counsel may appear by telephone.

Prior tentative ruling as of 2/17/14. No tentative ruling on the merits. Appearances are required on 2/19/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

CONT... Dowent Family LLC
appear by telephone.

Chapter 11

Party Information

Debtor(s):

Dowent Family LLC

Represented By
Todd C. Ringstad

Movant(s):

Dowent Family LLC

Represented By
Todd C. Ringstad

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

11:00 AM

2:18-18712 Ben B. Safyari

Chapter 11

#25.20 Cont'd status conference re: Management of chapter 11 case
fr. 9/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling. The status conference is continued to October 3, 2018 at 11:00 a.m. pursuant to Mr. Aver's ex parte motion (Docket No. 36) and the order entered on September 18, 2018.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits.

Party Information

Debtor(s):

Ben B. Safyari

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#26.00 Cont'd hearing re: Plaintiff/creditor James Lee Clark's motion for an order for sanctions including terminating sanctions against defendant/debtor Rita Ellison-Farris fr. 4/3/18, 4/10/18, 8/8/18

Docket 362

Tentative Ruling:

No updated tentative ruling as of 10/1/18. Appearances are required on 10/3/18.

No updated tentative ruling as of 8/7/18. Appearances are required on 8/8/18.

No tentative ruling as of 4/9/18. Appearances are required on 4/10/18.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

1:30 PM

CONT...

Rita Gail Farris-Ellison

Christian T Kim

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#27.00 Cont'd hearing re: Motion of plaintiff/creditor James Lee Clark for an order compelling discovery and sanctions against defendant/debtor Rita Ellison-Farris fr. 1/30/18, 5/1/18, 8/8/18

Docket 351

Tentative Ruling:

No updated tentative ruling as of 10/1/18. Appearances are required on 10/3/18.

No updated tentative ruling as of 8/7/18. Appearances are required on 8/8/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

Updated tentative ruling as of 1/12/18. Plaintiff moves to compel discovery to defendant with respect to: (1) his request for admissions, (2) his interrogatories and (3) his requests for production of documents. As to the request for admissions, the motion is unnecessary because if the requests for admissions are properly served, the requested matters for admission are deemed admitted if not timely denied. As to the interrogatories, the motion should be denied because the interrogatories are invalid because plaintiff did not sign them. On the copy of the interrogatories attached to the motion, there is no signature of plaintiff on his interrogatories as required by Federal Rule of Bankruptcy Procedure 9011(a). Plaintiff will need to sign them before he can move to compel defendant to respond to them. As to the request for production of documents, the motion does not comply with Local Bankruptcy Rule 9026-1(c) because plaintiff has not submitted a discovery dispute stipulation to be completed by both parties as to their positions on the discovery dispute. Plaintiff appears to have met the requirement of a meet and confer request to defendant's counsel, to which there was apparently no response, but plaintiff still needs to submit the joint discovery dispute stipulation required by Local Bankruptcy Rule 7026-1(c). The court wants the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

parties to conduct a meet and confer meeting regarding the interrogatories and the request for production of documents once plaintiff signs the interrogatories. Appearances are required on 1/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#28.00 Cont'd status conference re: Complaint: 1) objecting to discharge
2) breach of contract 3) breach of implied covenant of good faith
and fair dealing 4) conversion 5) negligence 6) breach of fiduciary duty
7) constructive fraud 8) fraudulent concealment 9) wrongful foreclosure
10) interference with prospective economic advantage
fr. 1/30/18, 5/1/18, 8/8/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 10/1/18. Appearances are required on 10/3/18.

No updated tentative ruling as of 8/7/18. Plaintiff filed a motion for leave to file a further amended complaint, so the case may not be at issue until the motion is resolved. The motion is not noticed for hearing, but defendant to comment whether she opposes the motion. Appearances are required on 8/8/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

No tentative ruling as of 9/1/17. Appearances are required on 9/5/17.

No tentative ruling as of 7/31/17. Appearances are required on 8/1/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 5/26/17. No tentative ruling on the merits. Appearances are required on 5/30/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 2/27/17. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Appearances are required on 2/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/13/17. No tentative ruling on the merits.
Appearances are required on 2/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/16. No tentative ruling on the merits.
Appearances are required on 12/6/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits.
Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits.
Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/18/16. No tentative ruling on the merits.
Appearances are required on 4/19/16, but counsel may appear by telephone.

Party Information

Attorney(s):

Deborah Bronner

Represented By
Deborah R Bronner

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

Mediator(s):

David A. Gill

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Plaintiff(s):

James Lee Clark

Represented By
Justin D Graham

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

Sam S Leslie (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:14-01088 Clark v. Farris-Ellison

#29.00 Cont'd status conference re: Creditor, James Lee Clark's complaint to determine nondischargeability of debtors/defendant's debt [Pursuant to 11 U.S.C. §523(a)(2); 11 U.S.C. §523(a)(6)] fr. 1/30/18, 5/1/18, 8/8/18

Docket 1

Tentative Ruling:

No updated tentative ruling as of 10/1/18. Appearances are required on 10/3/18.

No updated tentative ruling as of 8/6/18. Appearances are required on 8/8/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

No tentative ruling as of 9/1/17. Appearances are required on 9/5/17.

No tentative ruling as of 7/31/17. Appearances are required on 8/1/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 5/26/17. No tentative ruling on the merits. Appearances are required on 5/30/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Prior tentative ruling as of 2/27/17. No tentative ruling on the merits. Appearances are required on 2/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/13/17. No tentative ruling on the merits. Appearances are required on 2/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Prior tentative ruling as of 12/5/16. No tentative ruling on the merits.
Appearances are required on 12/6/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits.
Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits.
Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/18/16. No tentative ruling on the merits.
Appearances are required on 4/19/16, but counsel may appear by telephone.

No updated tentative ruling as of 2/22/16. Appearances are required on
2/23/16.

No updated tentative ruling as of 8/24/15. Appearances are required on
8/25/15.

No tentative ruling as of 4/27/15. Appearances are required on 4/28/15.

Updated tentative ruling as of 3/9/15. No tentative ruling on the merits.
Appearances are required on 3/10/15. Defendant to address why there is no
proof of service of answer filed on 2/10/15.

Prior tentative ruling as of 11/17/14. No tentative ruling on the merits.
Appearances are required on 11/18/14.

Updated tentative ruling as of 9/29/14. The status conference will be
conducted on the 3:00 p.m. calendar with the hearing on the motion for
summary judgment. No tentative ruling on the merits. Appearances are
required on 9/30/14 at 3:00 p.m., not 1:30 p.m.

Prior tentative ruling as of 6/23/14. No tentative ruling on the merits.
Appearances are required on 6/24/14.

Updated tentative ruling as of 5/12/14. No tentative ruling on the merits.
Appearances are required on 5/13/14 to discuss status of state court

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 3, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

proceedings, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. The court notes procedural problems with the adversary proceeding: (1) first, plaintiff has not served counsel for debtors as required by Rule 7004(g) of the Federal Rules of Bankruptcy Procedure; (2) plaintiff is seeking the same relief as in the prior adversary proceeding, which was dismissed, and there may be a bar against such relitigation by claim or issue preclusion. Appearances are required on 4/15/14.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

Sam S Leslie (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 4, 2018

Hearing Room 1675

9:00 AM

2:18-13759 Charles Peters

Chapter 11

#1.00 EVIDENTIARY HEARING RE: Motion for relief from stay
(County of Riverside VS Debtor)
fr. 5/22/18, 7/27/18

Docket 20

***** VACATED *** REASON: Cont'd from 10/4/18 to 1/17/19 at 9:00 a.m.
per stip & order entered on 9/13/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/1/18. Off calendar. Continued by stipulation and order to 1/17/19 at 9:00 a.m. No appearances are required on 10/4/18.

Treat as a contested matter under FRBP 9014 since there are disputed issues of material fact regarding debtor's good faith in filing this case and whether the filing of debtor's petition was part of a scheme to hinder, delay or defraud creditors. The court will conduct the hearing as a status conference, and the parties should be prepared to discuss scheduling of an evidentiary hearing. Appearances are required on 5/22/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 4, 2018

Hearing Room 1675

9:00 AM

2:17-19081 Jarrod Cornelius Porter

Chapter 7

Adv#: 2:17-01571 Porter v. Navient U.S. Department of Education Loan Servicin

**#1.10 TRIAL RE: Adversary complaint
fr. 2/13/18, 4/10/18**

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling will be issued for trial. Appearances are required on 10/4/18.

Prior tentative ruling as of 9/17/18. By order filed on 9/13/18, the joint pretrial stipulation was approved, and the trial is set for 10/4/18 at 9:00 a.m. At the pretrial conference, the parties may raise concerns regarding the joint pretrial stipulation and the trial setting order. Appearances are required on 9/18/18.

Prior tentative ruling as of 4/9/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 4/10/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 2/12/18. Appearances are required on 2/13/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures (posted online on the court's website).

Party Information

Debtor(s):

Jarrod Cornelius Porter	Pro Se
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Defendant(s):

Navient U.S. Department of	Pro Se
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Nelnet	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 4, 2018

Hearing Room 1675

9:00 AM

CONT... Jarrod Cornelius Porter

Chapter 7

Plaintiff(s):

Jarrod Cornelius Porter

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 4, 2018

Hearing Room 1675

1:30 PM

2:17-20802 Kirstin A Tidwell

Chapter 7

#2.00 Cont'd hearing re: Trustee's final report and account;
Application for fees and expenses
[Heide Kurtz, Chapter 7 Trustee]
fr. 9/18/18

Docket 72

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling will be issued for trial. Appearances are required on 10/4/18.

Prior tentative ruling. The court is inclined to approve final report and fee application of trustee for reasons stated in the final report, but in light of the objection of Debtor to the final fee application of trustee's counsel, the court will defer a ruling on the final report and fee application of trustee until the court rules on the objection to counsel's fee application. Appearances are required on 9/18/18 to discuss scheduling, but trustee and counsel may appear by telephone.

Party Information

Debtor(s):

Kirstin A Tidwell

Represented By
Michele A Dobson

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 4, 2018

Hearing Room 1675

1:30 PM

2:17-20802 Kirstin A Tidwell

Chapter 7

#3.00 Cont'd hearing re: Application for fees and expenses
[Levene, Neale, Bender, Yoo & Brill L.L.P., Attorneys for Chapter 7 Trustee]
fr. 9/18/18

Docket 68

Tentative Ruling:

Updated tentative ruling as of 10/1/18. No tentative ruling will be issued for trial. Appearances are required on 10/4/18.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and schedule evidentiary hearing on the objections of Debtor to the final fee application of counsel for trustee. Appearances are required on 9/18/18 to discuss scheduling, but counsel may appear by telephone.

Party Information

Debtor(s):

Kirstin A Tidwell

Represented By
Michele A Dobson

Trustee(s):

Heide Kurtz (TR)

Represented By
Carmela Pagay
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 5, 2018

Hearing Room 1675

9:00 AM

2:18-14665 Hugo Hernandez

Chapter 11

#1.00 TRIAL RE: Motion for order determining value of collateral
fr. 6/27/18

Docket 28

Tentative Ruling:

Updated tentative ruling as of 10/1/18. Off calendar. The parties have informally advised the court that the matter is settled and will be submitting a stipulation and order to resolve the matter. No appearances are required on 10/5/18.

Prior tentative ruling. The court will treat the motion as a contested matter under FRBP 9014 since there are disputed issues of material fact concerning valuation requiring an evidentiary hearing. The parties should be prepared to discuss scheduling of pretrial and trial proceedings. Appearances are required on 6/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Hugo Hernandez

Represented By
Lionel E Giron

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

10:30 AM

2:17-24832 Maribel Proo

Chapter 7

#1.00 Cont'd hearing re: Motion for relief from stay
(Nissan Motor Acceptance Corporation VS Debtor)
fr. 9/18/18

Docket 25

Tentative Ruling:

No updated tentative ruling as of 10/5/18. Debtor appeared at the prior hearing to oppose the motion, and the court informed her that she was required to file and serve a written opposition to the motion by 9/25/18, which she has not done. Appearances are required on 10/9/18, but counsel may appear by telephone.

Prior tentative ruling. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Maribel Proo

Represented By
Daniel King

Trustee(s):

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

10:30 AM

CONT... Maribel Proo
David M Goodrich (TR)

Pro Se

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

10:30 AM

2:18-16906 Mauro Abel Gelista, Jr and Natalie Preciado Molina

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(TD Auto Finance LLC VS Debtors)

Docket 14

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Mauro Abel Gelista Jr

Represented By
Marlin Branstetter

Joint Debtor(s):

Natalie Preciado Molina

Represented By
Marlin Branstetter

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

10:30 AM

2:18-17616 Lakisi Saul

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Wells Fargo Bank, N.A. VS Debtor)

Docket 13

Tentative Ruling:

The motion is deficient because no evidence of valuation was submitted in the moving papers to show the debtor's lack of equity in the subject property. Appearances are required on 10/9/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Lakisi Saul	Pro Se
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Trustee(s):

Brad D Krasnoff (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

10:30 AM

2:18-18439 Jasmine Wolf

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Ford Motor Credit Company LLC VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Jasmine Wolf

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

1:30 PM

2:18-15217 Melody Shabpareh

Chapter 7

Adv#: 2:18-01253 Shabpareh v. NELNET EDUCATION LOAN NETWORK dba NELNET,

#5.00 Status conference re: Complaint to determine dischargeability of debt pursuant to 11 U.S.C. §523(a)(8)

Docket 1

Tentative Ruling:

The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 10/9/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Melody Shabpareh

Represented By
Thomas E Brownfield

Defendant(s):

NELNET EDUCATION LOAN

Pro Se

University of Phoenix, Inc.

Pro Se

Plaintiff(s):

Melody Shabpareh

Represented By
Thomas E Brownfield

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

1:30 PM

2:18-15448 Johnny Chun Choi

Chapter 7

Adv#: 2:18-01252 FCP Brands, Inc. et al v. Choi

#6.00 Status conference re: Complaint to non-dischargeability of debt pursuant to 11 U.S.C. §§ 523(a)(2), 523(a)(4), and 523(a)(6)

Docket 1

Tentative Ruling:

Set deadline for expert witness disclosures for both sides of 5/31/19, discovery cutoff date of 6/28/19 for nonexpert witness discovery, discovery cutoff date of 7/31/19 for expert witness discovery, a post-discovery status conference on 8/13/19 at 1:30 p.m., a joint status report is due on 8/6/19, and a dispositive motion hearing cutoff date of 8/28/19. The pretrial conference and deadline for filing the joint pretrial stipulation will be set at the post-discovery status conference. The deadline for lodging proposed findings of fact and conclusions of law will be set for after trial to include citations to trial record. Plaintiff to submit a proposed scheduling order within 7 days of hearing. Appearances are required on 10/9/18 to discuss scheduling and possible referral of dispute to mediation, but counsel may appear by telephone.

Party Information

Debtor(s):

Johnny Chun Choi

Represented By
Desiree Meguerditchian

Defendant(s):

Johnny Chun Choi

Pro Se

Joint Debtor(s):

Tae Yi Choi

Represented By
Desiree Meguerditchian

Plaintiff(s):

FCP Brands, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

1:30 PM

CONT... Johnny Chun Choi

Chapter 7

Roger F Friedman

MJCK Corporation

Represented By
Roger F Friedman

Michael Chang

Represented By
Roger F Friedman

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

1:30 PM

2:18-15550 Jose Antonio Salgado

Chapter 7

Adv#: 2:18-01257 TRANSPORT FUNDING, LLC v. Salgado

#7.00 Status conference re: Complaint to determine nondischargeability of debt pursuant to 11 U.S.C. §§523(a)(2)(B) and 523(a)(4)

Docket 1

Tentative Ruling:

Set discovery cutoff date of 1/31/19 and a post-discovery status conference on 2/12/19 at 1:30 p.m. A joint status report is due on 2/5/19. Appearances are required on 10/9/18 to discuss scheduling, possible waiver of requirement of a pretrial conference and possible referral of dispute to mediation, but counsel may appear by telephone.

Party Information

Debtor(s):

Jose Antonio Salgado

Represented By
Juan Castillo-Onofre

Defendant(s):

Jose Antonio Salgado

Pro Se

Joint Debtor(s):

Telma Aida Salgado

Represented By
Juan Castillo-Onofre

Plaintiff(s):

TRANSPORT FUNDING, LLC

Represented By
Jennifer Witherell Crastz
Casey Z Donoyan

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

1:30 PM

2:18-20336 Gregory Thayer

Chapter 7

#8.00 Status conference re: Involuntary petition

Docket 1

Tentative Ruling:

No tentative ruling as of 10/5/18. Appearances are required on 10/9/18.

Party Information

Debtor(s):

Gregory Thayer

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

1:30 PM

2:18-17263 8800 LLC

Chapter 11

#8.10 Status conference re: Motion of debtor to assume lease
fr. 10/3/18

Docket 67

Tentative Ruling:

Updated tentative ruling as of 10/5/18. No tentative ruling on the merits. Appearances are required on 10/9/18 to discuss the status of the matter before trial, but counsel may appear by telephone.

Revised tentative ruling as of 10/1/18 at 6:00 p.m.:

Treat motion to assume lease as a contested matter under FRBP 9014 because there are disputed issues of material fact that may require an evidentiary hearing to resolve (including debtor's status as tenant in fact as opposed to being listed on the lease, whether landlord validly invoked the recapture provisions of the lease, whether debtor has the ability to perform the lease if assumed) and treat hearing as a status conference to schedule further pretrial and trial proceedings. See *In re Gentile Family Industries*, 2014 WL 4091001 (9th Cir. BAP 2014)(acknowledging but not deciding whether the Ninth Circuit's decision in *In re G.I. Industries, Inc.*, 204 F.3d 1276 (9th Cir. 2000), citing, *In re Orion Pictures Corp.*, 4 F.3d 1095 (2nd Cir. 1993), should be broadly or narrowly construed; see also, *In re Miller*, 2016 WL 1316763 (Bankr. D. Mont. 2016)(narrowly construing *G.I. Industries* to rejection of an executory contract or lease). The court is inclined to agree with Debtor that the applicable rule is the two-step analysis for determining whether a lease may be assumed under 11 U.S.C. 365 set forth in *In re Waterkist Corp.* 775 F.2d 1089 (9th Cir. 1985) and *In re Windmill Farms, Inc.*, 841 F.2d 1467 (9th Cir. 1988). Landlord argues that *G.I. Industries*, following *Orion Pictures*, having a circumscribed view of the analysis of a motion to assume or reject a contract applies here, but that would mean that *G.I. Industries* impliedly overruled the two-part rule in *Waterkist Corp.* Landlord argues that *G.I. Industries* governs because it is a later pronouncement by the circuit, but that may not be right because it generally takes an en banc panel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

1:30 PM

CONT...

8800 LLC

Chapter 11

decision to overrule the case precedent of a prior circuit panel and arguably, the two-part rule involves a narrow, specific issue of lease assumption rather than general issue of assumption or rejection of executory contracts, and thus, the specific takes precedence over the general. The court hesitates to reach a conclusion on whether Waterkist was overruled by G.I. Industries in some fashion since this has not been adequately briefed by the parties and the court's research is preliminary and incomplete. However, the state of the case law in the circuit may be in flux as shown by the BAP's unpublished decision in Gentile Family Industries referring both to G.I. Industries and Windmill Farms, but not to the two-rule rule specifically. Since the motion for the assumption of the lease is important to the parties, and perhaps decisive of debtor's reorganization prospects, it makes sense to decide the motion in a contested matter to resolve factual issues. The court understands Landlord prefers deciding the contract dispute issues in state court as indicated in its stay relief and remand motions, but it seems that the court has jurisdiction to decide such issues in a contested matter or adversary proceeding related to lease assumption. The court's approach in *In re Belasco Unlimited Corp.*, No. 2:14-bk-26546-BR Chapter 11 (Bankr. C.D. Cal., findings of fact and conclusions of law after evidentiary hearing on motion to assume lease, filed and entered on April 8, 2015) is illustrative and is consistent with the holding in *Gentile Family Industries*.

Tentative rulings on TMC Realty, Inc.'s evidentiary objections to the declaration of Alan Nathan:

Objection #1 (page: line(s) 37:6-10): Overrule.

Objection #2 (39:13-15): Overrule.

Objection #3 (39:19-21): Sustain - lack of foundation.

Objection #4 (39:25-26): Sustain - lack of foundation.

Objection #5 (40:6-10): Sustain - improper opinion.

Objection #6 (40:18-22): Sustain as to phrases "In contravention of the Lease" and "improperly and prematurely"- improper opinion, otherwise overrule.

Objection #7 (40:25-27): Sustain - lack of foundation, improper opinion.

Objection #8 (41:15-17): Sustain - lack of foundation, improper opinion.

Objection #9 (41:26-27): Sustain - improper opinion.

Objection #10 (42:13-17): Sustain - improper opinion.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

1:30 PM

CONT... 8800 LLC

Chapter 11

Objection #11 (43:21-23): Sustain as to phrase "and gave express consent for the Debtor to possess and operate at the Premises under the Lease" - improper opinion, otherwise overrule.

Objection #12 (44:13-16): Sustain - improper opinion.

Objection #13 (44:17-21): Sustain - improper opinion.

Objection #14 (44:22-26): Sustain - improper opinion.

Objection #15 (46:21-47:2): Sustain - improper opinion.

Objection #16 (48:14-18): Sustain as to sentence, "As set forth above, the Debtor's financial problems were precipitated, in-part, by the Landlord's demand and actions to prematurely and improperly terminate the Lease." - improper opinion. Sustain as to sentences, "However, Debtor is operating profitably. Attached as 'Exhibit 14 hereto is the Debtor's projection of income and expenses through September 30, 2023. These projections show that the Debtor can satisfy its future obligations under the Lease." - lack of foundation.

The court comments that Mr. Nathan's improper opinions are disguised arguments which are not relevant and best left to counsel in briefing and that Debtor will need to provide a factual foundation for Mr. Nathan's testimony about the preparation of the Debtor's financial projections (i.e., describing who made the projections, what data was relied upon for the projections and what reasonable assumptions were made for such projections).

Appearances are required on 10/3/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01153 Michael C. Lin, Trustee of The Hellion Trust v. Martinez

#9.00 Pretrial conference re: Complaint to except debt from discharge
fr. 11/14/17, 12/19/17, 2/20/18

Docket 1

***** VACATED *** REASON: Cont'd from 10/9/18 to 11/27/18 at 2:00 p.m.
per stip & order entered on 10/3/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/5/18. Off calendar. Continued by stipulation and order to 11/27/18 at 2:00 p.m. No appearances are required on 10/9/18.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits. Appearances are required on 2/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/18/17. No tentative ruling on the merits. Appearances are required on 12/19/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the unilateral status report filed by defendant. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Michael C. Lin, Trustee of The

Represented By
Henry D Paloci

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

2:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#10.00 Cont'd hearing re: Motion to dismiss
fr. 5/29/18, 8/7/18, 9/11/18

Docket 23

Tentative Ruling:

Updated tentative ruling as of 10/5/18. No tentative ruling on the merits. Appearances are required on 10/9/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 9/10/18. Off calendar. The hearing is continued on the court's own motion by prior order to 10/9/18 at 2:30 p.m. No appearances are required on 9/11/18.

Prior tentative ruling as of 8/6/18. No tentative ruling on the merits. Appearances are required on 8/7/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. Off calendar. Continued by prior order to 5/29/18 at 2:30 p.m. to be conducted with hearing on plaintiff's motion to substitute party. No appearances are required on 5/15/18.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/12/17. No tentative ruling on the merits. Appearances are required on 6/13/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

2:30 PM

CONT... Gary Moll

Chapter 7

Updated tentative ruling as of 1/30/17. The parties should appear telephonically to discuss the impact of the pending related state court action on this adversary proceeding, that is, whether the proceedings in this matter should be stayed pending the resolution of plaintiff's claims in state court. Appearances are required on 1/31/17, but counsel and plaintiff representing himself may appear by telephone.

Prior tentative ruling as of 10/3/16. Since plaintiff is pursuing liquidation of his substantive claims in state court litigation and the court would stay the proceedings in this court until the state court litigation is completed, the court would deny the motion without prejudice. Appearances are required on 10/4/16, but counsel and self-represented parties may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits. Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the state court's order for dismissal without prejudice of the malpractice action in that court. It appears that the court should refer the case to the United States District Court because of the claim for personal injury damages must be determined by that court, which claim is intertwined with the dischargeability action. Alternatively, the court could abstain, allow plaintiff to refile the malpractice action in state court and not refer the case to the District Court. Appearances are required on 9/13/16, but the parties may appear by telephone.

Prior tentative ruling as of 8/22/16. No tentative ruling on the merits. The parties should address the court's request for clarification of dismissal order for the state court malpractice case and possible referral of case to the United States District Court because of the claim for personal injury damages. Appearances are required on 8/23/16, but counsel may appear by telephone.

No tentative ruling as of 8/8/16. Appearances are required on 8/9/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Gary Moll

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

2:30 PM

CONT... Gary Moll

Chapter 7

Ilyse Klavir
Gary E Moll

Defendant(s):

Gary E Moll

Represented By
Ilyse Klavir
Gary E Moll

Gary E Moll and Associates

Represented By
Ilyse Klavir
Gary E Moll

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

2:30 PM

2:15-28128 Gary Moll

Chapter 7

Adv#: 2:16-01057 Salzman v. Moll et al

#11.00 Cont'd status conference re: Complaint for dischargeability 11 U.S.C. §523(a)(2), false pretenses, false representation, actual fraud and dischargeability; 11 U.S.C. §523(a)(6), willful and malicious injury; verification fr. 5/29/18, 8/7/18, 9/11/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/5/18. No tentative ruling on the merits. Appearances are required on 10/9/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 9/10/18. Off calendar. The status conference is continued on the court's own motion by prior order to 10/9/18 at 2:30 p.m. No appearances are required on 9/11/18.

Prior tentative ruling as of 8/6/18. No tentative ruling on the merits. Appearances are required on 8/7/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/7/18. Off calendar. Continued by prior order to 5/29/18 at 2:30 p.m. to be conducted with hearing on plaintiff's motion to substitute party. No appearances are required on 5/15/18.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

2:30 PM

CONT... Gary Moll

Chapter 7

Prior tentative ruling as of 1/30/17. The parties should appear telephonically to discuss the impact of the pending related state court action on this adversary proceeding, that is, whether the proceedings in this matter should be stayed pending the resolution of plaintiff's claims in state court. Appearances are required on 1/31/17, but counsel and plaintiff representing himself may appear by telephone.

Prior tentative ruling as of 10/3/16. Since plaintiff is pursuing liquidation of his substantive claims in state court litigation, and the court would stay the proceedings in this court until the state court litigation is completed. Appearances are required on 10/4/16, but counsel and self-represented parties may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits. Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the state court's order for dismissal without prejudice of the malpractice action in that court. It appears that the court should refer the case to the United States District Court because of the claim for personal injury damages must be determined by that court, which claim is intertwined with the dischargeability action. Alternatively, the court could abstain, allow plaintiff to refile the malpractice action in state court and not refer the case to the District Court. Appearances are required on 9/13/16, but the parties may appear by telephone.

Prior tentative ruling as of 8/22/16. No tentative ruling on the merits. The parties should address the court's request for clarification of dismissal order for the state court malpractice case and possible referral of case to the United States District Court because of the claim for personal injury damages. Appearances are required on 8/23/16, but counsel may appear by telephone.

Prior tentative ruling as of 8/8/16. No tentative ruling on the merits. Appearances are required on 8/9/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/18/16. Off calendar. The court noting that defendant has noticed a hearing on his motion to dismiss the first amended

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

2:30 PM

CONT...

Gary Moll

Chapter 7

complaint on 8/9/16 at 3:30 p.m., the court continues on its own motion the status conference on 7/19/16 at 1:30 p.m. to the date and time of the hearing on defendant's motion to dismiss the first amended complaint on 8/9/16 at 3:30 p.m. No appearances are required on 7/19/16.

Prior tentative ruling. The status conference will be heard at 3:00 p.m. with the hearing on defendant's motion to dismiss. Appearances are required on 3:00 p.m. calendar, not the 1:30 p.m. calendar. No tentative ruling on the merits for the status conference.

Party Information

Debtor(s):

Gary Moll

Represented By
Ilyse Klavir

Defendant(s):

Gary E Moll

Represented By
Ilyse Klavir

Gary E Moll and Associates

Represented By
Ilyse Klavir

Plaintiff(s):

Gary Salzman

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

Howard M Ehrenberg (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar

Tuesday, October 9, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#12.00 Cont'd hearing re: Motion to allow and pay administrative expense claims
fr. 6/26/18, 7/31/18, 9/4/18

Docket 453

*** VACATED *** REASON: Cont'd from 10/9/18 to 11/13/18 at 2:30 p.m.
per order entered on 9/26/18-mb.

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

2:30 PM

2:17-10983 Alcide J Monroe, III

Chapter 7

#13.00 Hearing re: Motion for order reclassifying and subordinating claim of Greystone Management Group, Inc. (Appearing as Claim # 6-1 on Court's Claims Register)

Docket 59

Tentative Ruling:

The court is inclined to grant the motion to reclassify and subordinate claim of Greystone Management Group, Inc., but it seems to the court that only the prepetition rent claim is a unsecured general claim against the estate and that the postpetition rent claim is a claim against the debtor personally and not a claim against the estate either as an administrative expense claim because there was no benefit to the estate and as a general unsecured claim because it is not a prepetition claim. Appearances are required on 10/9/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Alcide J Monroe III

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Joseph Caceres

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

2:30 PM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01144 Shadsirat v. Zargar et al

#14.00 Hearing re: Motion to dismiss first amended complaint of Behrouz Shadsirat for lack of standing and failure to state a claim upon which relief can be granted

Docket 22

Tentative Ruling:

The court is inclined to grant the motion to dismiss in part and deny it in part.

The court intends to grant the motion to dismiss as to relief sought against Mesachi since none of the allegations in the first amended complaint relate to her and this is the second complaint which names her as a defendant, so dismissal should be with prejudice because plaintiff had the opportunity to correct such defect.

The court intends to grant the motion to dismiss as to relief sought which is derivative of NCI since plaintiff lacks standing to assert the rights of NCI, and apparently, only the state court receiver of NCI has standing to do that. Dismissal should be with prejudice because plaintiff had the opportunity to correct such defect.

The court intends to grant the motion to dismiss as to relief sought for breach of a fiduciary duty under 11 U.S.C. 523(a)(4) because plaintiff has not sufficiently pleaded facts to show that Zargar stood in a fiduciary relationship to plaintiff. Dismissal should be with prejudice because plaintiff had the opportunity to correct such defect.

The court intends to deny the motion to dismiss as to relief sought by plaintiff under 11 U.S.C. 523(a)(2)(A) and (6) because he has standing to assert claims as being fraudulently induced by Zargar's alleged misrepresentations to make capital contributions to NCI, which resulted in personal losses to him. However, the allegations are not specific enough as to the details of the alleged representations and plaintiff's alleged capital contributions, and the court intends to grant the motion at least to require plaintiff to amend and

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

2:30 PM

CONT... **Shahriar Joseph Zargar**

Chapter 11

make a more definite statement regarding these matters to allege plausible claims under these statutes.

The court has taken in consideration that plaintiff has two pending lawsuits in state court to determine the validity of the debts asserted as nondischargeable in this adversary proceeding, including one lawsuit which has been pending for 6 years and was ready for trial before it was removed and remanded. The court is inclined to allow plaintiff to amend the complaint to make a more definite statement and then stay the proceeding to allow the state court in the two pending lawsuits to render judgments on the validity of the asserted debts.

Appearances are required on 10/9/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Shabnam Mesachi

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 9, 2018

Hearing Room 1675

2:30 PM

2:18-16645 Zoila Areli Sanchez

Chapter 7

#15.00 Hearing re: United States Trustee's motion to dismiss case pursuant to 11 U.S.C. § 707(b)(3)(A) and § 707(a) with a refiling bar

Docket 42

Tentative Ruling:

No tentative ruling as of 10/5/18. Appearances are required on 10/9/18.

Party Information

Debtor(s):

Zoila Areli Sanchez

Pro Se

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 10, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#1.00 Hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 152

Tentative Ruling:

The motion of United States Trustee to dismiss or convert is based on somewhat technical violations of the bankruptcy rules and United States Trustee guidelines which have been remedied or can readily be remedied, such as lack of sufficient proof of insurance coverage, late filing of monthly operating reports and incomplete payment of quarterly fees. The court is inclined to continue the hearing on the motion to allow short but reasonable period of time to allow debtor to take corrective action to remedy these readily remediable technical violations.

The required corrective action to address the concerns raised in the motion as attested to by the bankruptcy analyst must include:

1. Proof of insurance coverage, which appears to have been provided now.
2. Prompt payment of any United States Trustee quarterly fees currently due.
3. Complete disclosure of all receipts and disbursements by debtor postpetition on her monthly operating reports, which require amendment of her filed reports. Disclosures must include identification of all receipts of family support payments and all disbursements of any and all funds by her postpetition. Debtor in her opposition to the motion indicates that she would file amended reports, but has not yet done so, which calls to mind the adage that actions speak louder than words.
4. Appropriate use of debtor's DIP bank accounts, including using her general DIP account for most disbursements, and discontinuance of use of the DIP payroll and tax accounts because there does not appear to be a justifiable reason to have these separate DIP accounts apart from the general DIP account.
5. Discontinuance of debtor's use of a community property joint bank account with the nondebtor spouse.
6. Timely filing of future monthly operating reports. The court is of the view

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 10, 2018

Hearing Room 1675

11:00 AM

CONT... Catherine Trinh

Chapter 11

that the previous reports have not been late for long periods of time, but debtor's persistent tardiness in filing her reports indicates a dilatory attitude which goes to show that she lacks sufficient motivation to prosecute this case, which may by itself warrant granting relief requested by the United States Trustee.

No tentative ruling as of 10/5/18. Appearances are required on 10/10/18.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 10, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#2.00 Hearing re: Motion for extension of exclusivity periods to file a disclosure statement and plan, and seek acceptances of plan of reorganization

Docket 158

Tentative Ruling:

Tentative rulings on debtor's objections to the declaration of Robert S. Marticello:

Objections ##1-4 - Overrule. The context for these statements in the declaration show that declarant is making the declaration in this case as counsel for a creditor in response to the instant motion to extend plan exclusivity. Having said this, counsel/declarant is admonished to proofread his submissions to the court before filing. See Morten Lund, *Jagged Rocks of Wisdom: Professional Advice for the New Attorney* (The Fine Print Press, Inc., 2007) at 1-9 ("Rule Number 1: Proofread. . . .Rule Number 2: Proofread Again")

Objection #5 - Overrule.

Objection #6 - Sustain - lack of personal knowledge, lack of foundation

Objection #7 - Overrule

Objection #8 - Sustain - improper opinion

Grant motion in part, deny in part, and extend plan exclusivity by additional 120 days. The court agrees with the observation of the Bankruptcy Appellate Panel in *In re Henry Mayo Newhall Memorial Hospital*, 282 B.R. 444, 453 (9th Cir. BAP) as pointed out by Creditor Second Generation, Inc., that "a transcendent consideration is whether adjustment of exclusivity will facilitate moving the case forward towards a fair and equitable resolution."

Considering the various standard factors considered by the courts in cases such as *Henry Mayo Newhall Memorial Hospital* and *In re Dow Corning Corp.*, 208 B.R. 661, 664-665 (Bankr. E.D. Mich. 1997), the court is of the view that extension of exclusivity for a short period of time will facilitate moving the case forward towards a fair and equitable resolution. Although debtor's reasons are somewhat underwhelming, especially its recital of what it has

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 10, 2018

Hearing Room 1675

11:00 AM

CONT... Catherine Trinh

Chapter 11

done in this case, the court believes on the totality of circumstances of the case at this present stage partial relief is warranted. This is only the second request for extension after a first extension of only four months. Although this case does not involve a complex operating business such as a hospital in Henry Mayo or a manufacturing concern in Dow Corning, there is some complexity here because the uncertain status of debtor's interest in the residence and her personal property interests, including the Ben Lynn Trust worth \$1.4 million and amounts owed her by other parties totalling over \$1 million. Resolution of the adversary proceeding over what her interest in the real property will have a large impact on the reorganization. Debtor has been involved in discovery and other litigation proceeding with one of her major creditors, Second Generation, Inc. Debtor appears to be paying her bills as they become due, except for a small amount of late paid United States Trustee quarterly fees. It does not appear that debtor is seeking the extension of exclusivity to pressure creditors. Debtor has an unresolved contingency in litigation of an appeal of an adverse judgment in favor of creditor Second Generation, Inc., which she is prosecuting. Debtor has shown that there is some evidence that time for her to negotiate a plan of reorganization and prepare adequate information and that there is some evidence of good faith progress towards reorganization for the reasons stated in her moving and reply papers, but the motion shows weakness because she does not discuss her specific efforts to negotiate a plan of reorganization with her creditors, including Second Generation (whose counsel stated in his declaration that debtor has not made no effort to negotiate with that creditor, his client), and to collect the amounts owed her by other which she stated was about \$1 million. Moreover, the motion shows weakness in debtor failing to discuss in her papers as to how her other personal property assets, including her interest in the Ben Lynn Trust listed in her schedules with a value of \$1.4 million, can be utilized in a plan of reorganization. The value of these assets are the majority of debtor's assets, even if it is later determined that the residence is community property, which would mean a one-half interest worth \$1.8 million would be part of the estate. These circumstances only warrant another 120 days extension of exclusivity and not to the statutory maximum of 18 months after the petition date as requested in the motion. the court is of the view that debtor should have another limited period of time to exclusively propose a plan, which incorporates her efforts to realize value of her personal property assets and to negotiate terms with her creditors, which

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 10, 2018

Hearing Room 1675

11:00 AM

CONT... Catherine Trinh

Chapter 11

is not really evident in her moving papers which just focus on the one real property asset, the residence, and the litigation with the one creditor, Second Generation.

Appearances are required on 10/10/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 10, 2018

Hearing Room 1675

1:30 PM

2:16-26739 Kyong Don Chu

Chapter 7

Adv#: 2:17-01223 Nextwave Enterprises LLC v. Chu

#3.00 EVIDENTIARY HEARING RE: Plaintiff's motion for default judgment under LBR 7055-1 fr. 4/3/18, 7/12/18, 8/21/18

Docket 19

Tentative Ruling:

Updated tentative ruling as of 10/5/18. No tentative ruling on the merits. Appearances are required on 10/10/18.

Prior tentative ruling as of 8/20/18. No tentative ruling on the merits. Appearances are required on 8/21/18.

Prior tentative ruling as of 4/2/18. After reviewing the supplemental papers, the court believes that they are not sufficient to demonstrate the transfer of the subject property was fraudulent, and the court will set a hearing for plaintiff to offer evidence to prove up the fraudulent transfer, such as eyewitness testimony that defendant is continuing to operate his business and otherwise exercise dominion and control over the transferred property to deem it to be his. The court is considering ordering plaintiff to serve defendant with a subpoena to appear at the prove up hearing. Appearances are required on 4/3/18, but counsel may appear by telephone.

Prior tentative ruling. The court on its own motion is continuing the hearing and status conference to 4/3/18 at 1:30 p.m. for plaintiff to file supplemental briefing to demonstrate that the elements of a claim for fraudulent transfer either under state and/or federal law has been met setting forth the factual basis for the court to grant the motion for default judgment on its claims under 11 U.S.C. 523(a)(2)(A) and (a)(6). Plaintiff must file its supplemental brief citing the elements of a fraudulent transfer claim under state and/or federal law and any supplemental evidence showing that all of the elements of a fraudulent transfer claim has been met by 3/13/18. No appearances are required on 2/13/18.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 10, 2018

Hearing Room 1675

1:30 PM

CONT... Kyong Don Chu

Chapter 7

Party Information

Debtor(s):

Kyong Don Chu

Represented By
M Teri Lim

Defendant(s):

Kyong Don Chu

Pro Se

Plaintiff(s):

Nextwave Enterprises LLC

Represented By
Ronald P Slates
Jesse Yanco

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 10, 2018

Hearing Room 1675

1:30 PM

2:16-26739 Kyong Don Chu

Chapter 7

Adv#: 2:17-01223 Nextwave Enterprises LLC v. Chu

- #4.00** Cont'd status conference re: Complaint for nondischageability for: 1) Debts incurred through false pretenses, false representation or actual fraud under 11 U.S.C. §523(a)(2) (A); 2) Debts incurred through willful and malicious injury to property under 11 U.S.C. § 523(a)(6)
fr. 4/3/18, 7/12/18, 8/21/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/5/18. No tentative ruling on the merits.
Appearances are required on 10/10/18.

Prior tentative ruling as of 8/20/18. No tentative ruling on the merits.
Appearances are required on 8/21/18.

Prior tentative ruling as of 4/2/18. See tentative ruling for matter number 4.

Prior tentative ruling as of 2/12/18. Off calendar. The court on its own motion is continuing the hearing and status conference to 4/3/18 at 1:30 p.m. for plaintiff to file supplemental briefing to demonstrate that the elements of a claim for fraudulent transfer either under state and/or federal law has been met setting forth the factual basis for the court to grant the motion for default judgment on its claims under 11 U.S.C. 523(a)(2)(A) and (a)(6). Plaintiff must file its supplemental brief citing the elements of a fraudulent transfer claim under state and/or federal law and any supplemental evidence showing that all of the elements of a fraudulent transfer claim has been met by 3/13/18. No appearances are required on 2/13/18.

Prior tentative ruling as of 12/18/17. No tentative ruling on the merits.
Appearances are required on 12/19/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits.
Appearances are required on 11/28/17, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 10, 2018

Hearing Room 1675

1:30 PM

CONT... Kyong Don Chu
telephone.

Chapter 7

Updated tentative ruling as of 9/11/17. The court has reviewed plaintiff's unilateral status report, again stating that default has been entered against defendant and that plaintiff is preparing a motion for default judgment. Appearances are required on 9/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/5/17. The court has reviewed plaintiff's unilateral status report, stating that default has been entered against defendant and that plaintiff is preparing a motion for default judgment. The court on its own motion continues the status conference to 9/12/17 at 1:30 p.m. No appearances are required on 6/6/17.

Party Information

Debtor(s):

Kyong Don Chu

Represented By
M Teri Lim

Defendant(s):

Kyong Don Chu

Pro Se

Plaintiff(s):

Nextwave Enterprises LLC

Represented By
Ronald P Slates
Jesse Yanco

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 11, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#1.00 EVIDENTIARY HEARING RE: Motion of Second Generation, Inc. for order converting the case to chapter 7 or, in the alternative, directing the appointment of a chapter 11 trustee
fr. 8/23/18, 8/24/18, 9/27/18

Docket 105

Tentative Ruling:

Updated tentative ruling as of 10/9/18. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 10/11/18.

Prior tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 11, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/19/18, 8/23/18, 9/27/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/9/18. No tentative ruling on the merits.
Appearances are required on 10/11/18.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits.
Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Off calendar. The court on its own motion
continues the status conference to be conducted with the hearing on the
motion of creditor Second Generation, Inc., to convert the case to Chapter 7
on 6/19/18 at 2:30 p.m. No appearances are required on 6/6/18.

Prior tentative ruling as of 4/17/18. Off calendar. Status conference
advanced to 4/18/18 at 11:00 a.m. by prior order. No appearances are
required on 4/25/18.

Prior tentative ruling as of 1/12/18. Appearances are required on 1/17/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
David B Golubchik
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 11, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#3.00 Hearing re: Debtor's motion in limine to exclude David H. Boren's trial declaration in support of Second Generation's motion to convert the case to chapter 7 or, in the alternative, directing the appointment of a chapter 11 trustee

Docket 203

Tentative Ruling:

No tentative ruling as of 10/9/18. Appearances are required on 10/11/18.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz
Tamar Terzian

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 11, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#4.00 Hearing re: Debtor's motion in limine to exclude evidence or testimony of Matthew Souza's trial declaration and expert report in support of Second Generation's motion to convert the case to chapter 7 or, in the alternative, directing the appointment of a chapter 11 trustee

Docket 204

Tentative Ruling:

No tentative ruling as of 10/9/18. Appearances are required on 10/11/18.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz
Tamar Terzian

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 12, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#1.00 CONT'D EVIDENTIARY HEARING RE: Motion of Second Generation, Inc. for order converting the case to chapter 7 or, in the alternative, directing the appointment of a chapter 11 trustee
fr. 8/24/18, 9/27/18, 10/11/18

Docket 105

Tentative Ruling:

Updated tentative ruling as of 10/9/18. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 10/12/18 if the hearing is not concluded on 10/11/18.

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 12, 2018

Hearing Room 1675

9:00 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/23/18, 9/27/18, 10/11/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/9/18. No tentative ruling on the merits.
Appearances are required on 10/12/18.

Updated tentative ruling as of 6/18/18. No tentative ruling on the merits.
Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Off calendar. The court on its own motion
continues the status conference to be conducted with the hearing on the
motion of creditor Second Generation, Inc., to convert the case to Chapter 7
on 6/19/18 at 2:30 p.m. No appearances are required on 6/6/18.

Prior tentative ruling as of 4/17/18. Off calendar. Status conference
advanced to 4/18/18 at 11:00 a.m. by prior order. No appearances are
required on 4/25/18.

Prior tentative ruling as of 1/12/18. Appearances are required on 1/17/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
David B Golubchik
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

10:30 AM

2:18-18302 Michael Hargett

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Banc of America Funding Corporation Mortgage VS Debtor)

Docket 11

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Michael Hargett

Represented By
Joshua L Sternberg

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

10:30 AM

2:18-18366 Angel Pulex

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Deutsche Bank National Trust Company VS Debtor)

Docket 22

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Angel Pulex

Represented By
Thinh V Doan

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

10:30 AM

2:18-18520 Heui Gwan Lee

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(U.S. Bank National Association VS Debtor)

Docket 12

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Heui Gwan Lee	Pro Se
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Trustee(s):

Timothy Yoo (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

10:30 AM

2:18-18663 Ervell Leroy Prodan and Tanya Prodan

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(AmeriCredit Financial Services Inc. dba GM Financial VS Debtors)

Docket 14

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Ervell Leroy Prodan

Represented By
Michael E Clark

Joint Debtor(s):

Tanya Prodan

Represented By
Michael E Clark

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

10:30 AM

2:18-20398 Marie S Paquim

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Ratner 15th St. Investment, LLC VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Grant request for extraordinary relief in paragraph 9 for the reasons stated in the moving papers. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Marie S Paquim	Pro Se
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Trustee(s):

Wesley H Avery (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

11:00 AM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#5.10 Cont'd status conference re: Post confirmation of plan
fr. 5/16/18, 5/31/18, 10/3/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/15/18. No tentative ruling on the merits. Appearances are required on 10/16/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling will be issued for the evidentiary hearing on plan confirmation. Appearances are required on 5/31/18.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

11:00 AM

CONT... Swing House Rehearsal and Recording, Inc. Chapter 11

Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17, the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m. Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

11:00 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#5.20 Cont'd hearing re: Motion to Sell Property of the Estate Free and Clear of Liens under Section 363(f) Debtor's Motion For The Entry Of An Order: (1) Approving The Sale Of Real Property Free And Clear Of All Liens, Claims, Encumbrances, And Interests, With The Exception Of Enumerated Exclusions, Subject To Overbid, (2) Finding That The Buyer Is Good Faith Purchaser, (3) Approving Bidding Procedures And Break-Up Fee, (4) Authorizing And Approving The Payment Of Certain Claims From Sale Proceeds, And (5) Waiving The Fourteen-Day Stay Period Set Forth In Bankruptcy Rule 6004(h) fr. 10/2/18

Docket 313

Tentative Ruling:

No updated tentative ruling as of 10/15/18. Appearances are required on 10/16/18.

No tentative ruling as of 10/1/18. Appearances are required on 10/2/18. Counsel should appear in person.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#6.00 Cont'd status conference re: Complaint for: (1) Declaratory Relief Regarding Alleged Standing Of Defendants Under Note And Deed Of Trust; (2) Declaratory Relief Regarding Purported Foreclosure Sale And Trustees Deed Upon Sale And Title To Real Property; (3) Declaratory Relief Regarding Unlawful Detainer Action; (4) Turnover Of Real Property; (5) Disallowance Of Any Claims Of JPMorgan Chase Bank, N.A.; (6) Violation Of Fair Debt Collection Practices Act
fr. 5/1/18, 7/10/18, 8/28/18

Docket 1

***** VACATED *** REASON: Continued from 10/16/18 to 1/8/19 at 1:30 p.m. per stip and order entered on 10/10/18**

Tentative Ruling:

Updated tentative ruling as of 10/15/18. Off calendar. Continued by stipulation and order to 1/8/19 at 1:30 p.m. No appearances are required on 10/16/18.

tentative ruling as of 4/30/18. No tentative ruling on the merits. Appearances are required on 5/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. Off calendar. The court on its own motion continues the status conference to 3/20/18 at 3:00 p.m. A separate order is being entered. No appearances are required on 2/27/18.

Prior tentative ruling. The court has reviewed the joint status report and also notes on the case docket that there is a hearing on the motion of defendant JP Morgan Chase Bank, N.A. to dismiss plaintiff's amended complaint on 2/27/18 at 3:00 p.m., which may have an impact on scheduling in this adversary proceeding. Therefore, the court on its own motion continues the status conference to 2/27/18 at 3:00 p.m. to be conducted with the hearing on the motion to dismiss the amended complaint. No appearances are required on 2/13/18.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

1:30 PM

CONT... Grand View Financial LLC

Chapter 11

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Pro Se

QUALITY LOAN SERVICE

Pro Se

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

1:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

Adv#: 2:18-01139 People Who Care Youth Center, Inc. v. Ammec, Inc. et al

#7.00 Cont'd status conference re: Complaint for: (1) Slander of title; (2) Disallowance of claim [11 U.S.C. §502(b)]; (3) Avoidance of lien; [FRBP 7001]; (4) Declaratory relief; (5) Punitive damages; and (6) Attorneys' fees and costs fr. 7/10/18, 7/17/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/15/18. The status conference will be conducted with the hearings on the motions to dismiss and strike on the 2:30 p.m. calendar. Appearances are required at 2:30 p.m., not 1:30 p.m.

Prior tentative ruling as of 7/16/18. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 7/17/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report and continues the status conference on its own motion to 7/17/18 at 2:30 p.m., the date and time of the hearings on defendant Curtis's motion to dismiss and defendant Ammec's motion to set aside default. Plaintiff to give written notice of continuance of status conference. No appearances are required on 7/10/18.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Ammec, Inc.

Pro Se

Greta Curtis

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

1:30 PM

CONT... People Who Care Youth Center, Inc.

Chapter 11

Plaintiff(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

1:30 PM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01144 Shadsirat v. Zargar et al

#8.00 Cont'd status conference re: Complaint (1) objecting to dischargeability of debt pursuant to 11 U.S.C. §523(a)(2); (2) objecting to dischargeability of debt pursuant to 11 U.S.C. § 523(a)(4); (3) objecting to dischargeability of debt pursuant to 11 U.S.C. §523(a)(6); and, (4) for declaratory relief requesting adjudication of pending state court lawsuits fr. 7/17/18

Docket 1

***** VACATED *** REASON: S/C cont to 1/8/19 at 1:30 p.m. per hearing re: Motion to dismiss held on 10/9/18 at 2:30 p.m. NV**

Tentative Ruling:

Updated tentative ruling as of 10/15/18. Off calendar. Continued to 1/8/19 at 1:30 p.m. based on oral ruling at hearing on motion to dismiss on 10/9/18. No appearances are required on 10/16/18.

Prior tentative ruling as of 7/16/18. Appearances are required on 7/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Pro Se

Shabnam Mesachi

Pro Se

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

1:30 PM

CONT...

Shahriar Joseph Zargar

Rosendo Gonzalez

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

1:30 PM

2:18-15774 Yoshihiro Ishii

Chapter 7

Adv#: 2:18-01261 McCall v. Yoshihiro

#9.00 Status conference re: Complaint to determine dischargeability of debt

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status report, stating that default has been entered against defendant and plaintiff has noticed his motion for default judgment for hearing on 11/6/18 at 2:30 p.m. In the interest of judicial economy, the court on its own motion continues the status conference to the date and time of the hearing on the motion for default judgment on 11/6/18 at 2:30 p.m. No appearances are required on 10/16/18.

Party Information

Debtor(s):

Yoshihiro Ishii

Represented By
Irwin M Friedman

Defendant(s):

Ishii Yoshihiro

Pro Se

Plaintiff(s):

Patrick A. McCall

Represented By
Richard G Heston

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:00 PM

2:13-17409 Ayers Bath (U.S.A.), Co.,Ltd.

Chapter 7

#10.00 Cont'd status conference re: Renewed motion of Foremost Groups, Inc. to amend the judgment of the bankruptcy court to add Tangshan Ayers Bath Equipment Co. Ltd. as judgment debtor
fr. 2/7/18, 3/5/18, 4/10/18

Docket 118

***** VACATED *** REASON: Cont'd from 10/16/18 to 2/5/19 at 2:00 p.m.
per stip and order signed on 10/11/18**

Tentative Ruling:

Updated tentative ruling as of 10/15/18. Off calendar. Continued by stipulation and order to 2/5/19 at 2:00 p.m. No appearances are required on 10/16/18.

Prior tentative ruling as of 4/9/18. No tentative ruling on the merits. Appearances are required on 4/10/18, but counsel may appear by telephone.

Prior tentative ruling. Continued by stipulation and order to 2/7/18 at 2:00 p.m. No appearances are required on 2/24/18.

Party Information

Debtor(s):

Ayers Bath (U.S.A.), Co.,Ltd.

Represented By
Jeffrey S Renzi
Ryan S Fife

Trustee(s):

Alfred H Siegel (TR)

Represented By
Anthony A Friedman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:00 PM

2:13-39626 Peter James Eichler, Jr

Chapter 7

Adv#: 2:14-01547 Stahl, Chapter 7 Trustee v. Eichler, Jr

#11.00 Cont'd pretrial conference re: Complaint against debtor Peter James Eichler, Jr.
for denial of discharge [11 U.S.C. §727]
fr. 4/17/18, 7/31/18, 8/28/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/15/18. No tentative ruling on the merits. Appearances are required on 10/16/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedure posted online on the court's website.

Prior tentative ruling as of 8/17/18. Off calendar. In light of the pending settlement between the parties in the main bankruptcy case, the court on its own motion continues the pretrial conference to 10/16/18 at 2:00 p.m. No appearances are required on 8/28/18.

Prior tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Updated tentative ruling as of 9/25/17. Off calendar. Continued by stipulation and order to 11/28/17 at 2:00 p.m. No appearances are required on 9/26/17.

Prior tentative ruling as of 6/26/17. Off calendar. Continued by stipulation and order to 8/29/17 at 2:00 p.m. No appearances are required on 6/27/17.

Prior tentative ruling as of 3/20/17. Off calendar. Continued by stipulation and order to 4/25/17 at 2:00 p.m. No appearances are required on 3/21/17.

Prior tentative ruling. The court has reviewed the joint status report. No

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:00 PM

CONT... Peter James Eichler, Jr

Chapter 7

tentative ruling on the merits. Appearances are required on 1/20/15, but counsel may appear by telephone.

Party Information

Debtor(s):

Peter James Eichler Jr

Represented By
Christian T Kim
James A Dumas Jr
Miri Kim Wakuta

Defendant(s):

Peter James Eichler Jr

Pro Se

Plaintiff(s):

Alberta P. Stahl, Chapter 7 Trustee

Represented By
Monica Y Kim

Trustee(s):

Alberta P Stahl (TR)

Represented By
Carmela Pagay
Monica Y Kim
Timothy J Yoo

Alberta P Stahl (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:30 PM

2:16-16503 Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01388 Patton et al v. Bishop, Sr

#12.00 Hearing re: Defendant's motion to strike pleadings

Docket 147

***** VACATED *** REASON: Cont'd from 10/16/18 to 11/13/18 at 2:00 p.m. per order entered on 10/11/18- st**

Tentative Ruling:

Off calendar. Continued to 11/13/18 at 2:00 p.m. on the court's own motion by order entered on 10/11/18. No appearances are required on 10/17/18.

Party Information

Debtor(s):

Reggie Lyn Bishop	Pro Se
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Defendant(s):

Reggie Lyn Bishop Sr	Pro Se
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Plaintiff(s):

Thomas Patton	Pro Se
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Audrey Patton	Pro Se
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Trustee(s):

Timothy Yoo (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01214 Grand View Financial, LLC v. Ho

#13.00 Hearing re: Plaintiff's motion for default judgment under LBR 7055-1

Docket 15

Tentative Ruling:

Grant plaintiff's motion for default judgment for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 10/16/18

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Steven Ho

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

Adv#: 2:18-01139 People Who Care Youth Center, Inc. v. Ammec, Inc. et al

#14.00 Hearing re: Motion to dismiss and/or strike adversary complaint pursuant to Fed. Rule Civ. Pro 12(F)

Docket 40

Tentative Ruling:

Grant in part and deny in part defendants' motion to strike as follows: (1) grant motion to strike paragraph 15 and State Bar Decision Exhibit since there is no possible relation of the allegations in paragraph 15 and the exhibit to the claim pleaded and the allegations may cause prejudice to defendant Curtis as impertinent matter, putting her in an unfavorable light, Carolina Casualty Insurance Co. v. Oahu Air Conditioning Service, Inc., 994 F.Supp.2d 1082 (E.D. Cal. 2014); (2) grant motion to strike the so-called "reservation of rights" allegations because such allegations are redundant of rights already preserved in the Federal Rules of Civil Procedure and Federal Rules of Bankruptcy Procedure, Solis v. Couturier, 2009 WL 2022343 (E.D. Cal. 2009); (3) deny motion to strike punitive damages allegations since a motion to strike under Federal Rule of Civil Procedure 12(f) is not a proper way for defendants to seek dismissal of a claim based on their dispute with plaintiff's factual allegations, asserting that it was really plaintiff which allegedly pilfered lumber, Whittlestone, Inc. v. Handi-Craft Co., 618 F.3d 970,973-975 (9th Cir. 2010). Appearances are required on 10/16/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

Defendant(s):

Ammec, Inc.

Represented By
John Barriage

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:30 PM

CONT... People Who Care Youth Center, Inc.

Chapter 11

Greta Curtis

Pro Se

Plaintiff(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

Adv#: 2:18-01139 People Who Care Youth Center, Inc. v. Ammec, Inc. et al

#15.00 Hearing re: Motion to dismiss adversary complaint pursuant to Fed. Rule Civ. Pro 12(b)(6)

Docket 38

Tentative Ruling:

Deny defendants' motion to dismiss for failure to state a claim upon which relief can be granted as follows: (1) deny motion to dismiss as to claim under 11 U.S.C. 502(b) because debtor may object to the validity of defendant's secured claim based on her alleged mechanic's lien under 11 U.S.C. 502 and 506(a) and (d); (2) deny motion to dismiss as to remaining claims since they are sufficiently pleaded, plausible claims (the court agrees with the opposition that the litigation privilege of California Civil Code Section 47 is inapplicable since the lien was not uttered in the context of litigation and a cognizable claim is alleged that no moneys were owed on account of the asserted obligation). Appearances are required on 10/16/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

Defendant(s):

Ammec, Inc.

Represented By
John Barriage

Greta Curtis

Pro Se

Plaintiff(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:30 PM

CONT...

People Who Care Youth Center, Inc.

David B Golubchik

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:30 PM

2:18-16587 Nicola Santini

Chapter 7

#16.00 Hearing re: DBC Corp., Donald Bruce & Company and Gary Bruce Solutions's motion for extension of time to objecting to discharge/dischargeability

Docket 13

Tentative Ruling:

Deny creditors' motion to extend time to file discharge/debt dischargeability actions under FRBP 4004 and 4007. Creditors' moving and reply papers are not supported by evidence, such as declarations under penalty of perjury, as required by Local Bankruptcy Rule 9013-1(c)(3) and (i), and creditors' reply was filed late after the deadline of 7 days before the hearing and will not be considered pursuant to Local Bankruptcy Rule 9013-1(g) without good cause shown to excuse the late filing. Debtor's opposition to the motion was filed on 9/21/18, more than 21 days before the noticed hearing on 10/16/18, and creditors had until 10/9/18, 7 days before the hearing to file and serve their reply, which was 18 days after service of the opposition and notice of hearing, including electronic and mail service. While creditors' motion to extend time was timely filed, both Federal Rules of Bankruptcy Procedure 4004 and 4007 require a showing of cause, and creditors' moving papers fail to demonstrate adequate cause. Creditors' statement of cause in their moving papers, "Movants will need additional time to review Debtor's case to investigate the veracity and completeness of the Debtor's Petition, Schedules, Statement of Financial Affairs, and testimony given at the Meeting of Creditors" is vague and nonspecific. There are no details of what action that creditors have done to investigate possible claims of discharge denial and debt dischargeability and why such investigation could not be completed on time. Debtor's petition, schedules and statement of financial affairs were filed on 6/21/18, and creditors had 77 days to investigate Debtor's documents and financial affairs before the filing deadline of 9/7/18. Creditors completely fail to explain why this time was insufficient for them to review Debtor's petition documents, complete their investigation and file timely discharge denial and debt dischargeability claims, such as any complexity involved in this case or their investigation. The evidence in Debtor's declaration that creditors and their counsel failed to attend the meeting of creditors is un rebutted since there is no contrary evidence because creditors have not supported their motion with

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:30 PM

CONT...

Nicola Santini

Chapter 7

admissible evidence, and the evidence in the record shows that creditors' need to have attended the meeting of creditors before they could file their claims is unsubstantiated. Based on this record, creditors lacked due diligence in conducting their investigation regarding their claims and have failed to demonstrate cause to warrant an extension of time. See *In re Inkster*, 271 B.R. 213 (10th Cir. BAP 2001)(unpublished opinion).
Appearances are required on 10/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Nicola Santini

Represented By
Eliza Ghanooni

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:30 PM

2:18-18963 Anai E Rodriguez Ayala

Chapter 7

#17.00 Order to show cause re dismissal for failure to comply with rule 1006(B) - installments

Docket 12

***** VACATED *** REASON: All installment payments made on 9/25/18-
mb**

Tentative Ruling:

Off calendar. The order to show cause is withdrawn and taken off calendar because debtor has made all the required payments. No appearances are required on 10/16/18.

Party Information

Debtor(s):

Anai E Rodriguez Ayala	Pro Se
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Trustee(s):

Jason M Rund (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:30 PM

2:18-19815 The Meyers Family Trust U/T/A 7/2/15

Chapter 7

#18.00 Hearing re: U.S. Trustee's motion to dismiss case for cause based upon ineligible family trust debtor pursuant to 11 U.S.C. §§ 707(a), 101(4) and 109(a) and (d)

Docket 4

Tentative Ruling:

Grant motion of United States Trustee to dismiss for the reasons stated in the moving papers and for lack of timely written opposition as indicated in the statement of non-opposition by debtor. Appearances are optional on 10/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

The Meyers Family Trust U/T/A

Represented By
Ashley D Posner

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 16, 2018

Hearing Room 1675

2:30 PM

2:18-21156 Da'Qunisha Lashawn De Bose

Chapter 7

#19.00 Hearing re: Application to pay filing fee in installments

Docket 6

***** VACATED *** REASON: Granted per order entered on 9/26/18-mb.**

Tentative Ruling:

Off calendar. Motion granted by prior order entered on 9/26/18. No appearances are required on 10/16/18.

Party Information

Debtor(s):

Da'Qunisha Lashawn De Bose	Pro Se
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Trustee(s):

Elissa Miller (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

10:30 AM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#1.00 Cont'd hearing re: Motion to dismiss chapter 11 bankruptcy
fr. 9/19/18

Docket 118

Tentative Ruling:

Revised tentative ruling as of 10/17/18. The court retracts its tentative ruling of 10/16/18 because it has authorized debtors to respond orally to the supplemental brief of creditors by time of continued hearing, and to file a written response. Appearances are required on 10/17/18, but the prior tentative ruling on 10/15/18 remains the same.

Updated tentative ruling as of 10/16/18. Debtors filed a surreply brief and request for judicial notice of new matters on 10/15/18, which are not authorized under the court's local rules and for which debtors did not request leave of court to file, and the court will disregard these papers for purposes of the hearing on 10/17/18. Creditors need not respond to debtors' surreply or request for judicial notice at the hearing on 10/17/18, though the court might consider them as debtors' trial brief for the trial that will be set on this contested matter. Otherwise, the court's tentative ruling posted on 10/10/18 will apply.

Prior tentative ruling as of 10/15/18. The court will treat the hearing as a status conference because there are material factual disputes raised by the motion which is a contested matter under Federal Rule of Bankruptcy Procedure 9014 relating to debtors' good faith in filing this case which require an evidentiary hearing to resolve. The court will schedule an evidentiary hearing at the status conference, and the court requests that counsel appear telephonically rather than appear in person to minimize litigation costs.

Regarding the contentions of debtors, the court is of the view that the motion is not untimely and there is no bar of laches because it seems that at any time in this case, parties in interest can move for dismissal, particularly, preconfirmation, that the motion is not a litigation tactic by creditors to gain advantage in the state court, and that debtors can reorganize and confirm a

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

10:30 AM

CONT... **Paul Bodeau and Sandra Bodeau**

Chapter 11

plan is not an undisputed fact and remains to be seen.

Regarding the contentions of creditors, the court is of the view that debtors could propose a confirmable plan through a combination of income and asset sales, particularly as creditors acknowledge that debtors have property equity of over \$1.1 million to fund a plan, that denial of confirmation of the currently proposed plan does not necessarily mean that debtors could not later propose an amended plan that is confirmable, that creditors' opposition to a plan does not necessarily mean that a plan absolutely be confirmed under the cramdown standards of 11 U.S.C. 1129(b), provided that debtors find a way to meet the requirements of the absolute priority rule or qualify for an exemption to the rule, and that whether this is a two-party dispute is a disputed issue of material fact relating to good faith of debtors in filing this case.

If creditors are pressing their motion, the court will ask them for dates for an evidentiary hearing on the disputed material issues of fact, or these issues can be litigated in connection with plan confirmation relating to the disclosure statement and proposed plan now pending.

Appearances are required on 10/17/18, but counsel may and should appear by telephone.

Prior tentative ruling as of 9/17/18. Appearances are required on 9/19/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Louis H Altman

Joint Debtor(s):

Sandra Bodeau

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

10:30 AM

CONT... Paul Bodeau and Sandra Bodeau

Chapter 11

Lane K Bogard
David R Haberbush
Vanessa M Haberbush
Louis H Altman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

10:30 AM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#2.00 Cont'd hearing re: Application to employ The Law Offices of Brian H. Cole as Special Franchise Law Counsel
fr. 8/29/18, 9/19/18

Docket 116

Tentative Ruling:

Updated tentative ruling as of 10/15/18. No tentative ruling on the merits. The court is inclined to trail the hearing on the application to employ until the court rules on creditor's motion to dismiss. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court on its own motion continues the hearing on the application to employ special litigation counsel to the date and time of the hearing on creditor's motion to dismiss the bankruptcy case on 9/19/18 at 2:30 p.m. as a status conference on the application. Most likely, creditor's motion to dismiss is a contested matter under FRBP 9014 and may require an evidentiary hearing which the court will set at the hearing on 9/18/18, and the hearing on the employment application will trail the hearing on the motion to dismiss since granting of the motion to dismiss will moot out the application. No appearances are required on 8/29/18. Debtor to notify applicant of the continuance.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Louis H Altman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

10:30 AM

CONT... Paul Bodeau and Sandra Bodeau

Chapter 11

Joint Debtor(s):

Sandra Bodeau

Represented By

Lane K Bogard

David R Haberbusch

Vanessa M Haberbusch

Louis H Altman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#3.00 Cont'd status conference re: Management of chapter 11 case
fr. 11/15/17, 2/7/18, 7/11/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/15/18. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. The court has reviewed debtors' status report, and the court is inclined to set a further status report in 90 days. No tentative ruling on the merits. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 11/15/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Paul Bodeau

Represented By
Lane K Bogard

Joint Debtor(s):

Sandra Bodeau

Represented By
Lane K Bogard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker

Chapter 11

#4.00 Cont'd status conference re: Post confirmation of plan
fr. 2/14/18, 5/23/18, 6/27/18

Docket 123

Tentative Ruling:

Updated tentative ruling as of 10/15/18. No tentative ruling on the merits, but debtor will need to address the notice of delinquency filed by the United States Trustee and to state when he will be filing a motion for entry of final decree. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/21/18. No tentative ruling on the merits. Appearances are required on 5/23/18, but counsel may appear by telephone.

Updated tentative ruling as of 2/12/18. The court has reviewed debtor's status report. Debtor will need to address the notice of delinquency in filing United States Trustee reporting requirements filed on 1/2/18. Appearances are required on 2/13/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits. Appearances are required on 10/18/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/11/17. Appearances are required on 9/13/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/10/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits. Appearances are required on 5/3/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Updated tentative ruling as of 10/17/16. The court has reviewed debtor's status report and declaration and exhibits attached thereto. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Debtor to explain whether the checks attached to his declaration filed on 9/16/16 have brought the plan entirely current. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/7/16. Appearances are required on 3/9/16, but counsel may appear by telephone.

Prior tentative ruling as of 2/1/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 2/3/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 11/23/15. The court has reviewed debtor's post-confirmation status report. Appearances are required on 11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/25/15. Appearances are required on 8/26/15, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

Prior tentative ruling as of 4/13/15. Off calendar. The court has reviewed debtor's post-confirmation status report and sets a further status conference on its own motion to 8/26/15 at 11:00 a.m. A further status report is due 8/21/15. No appearances are required on 4/15/15.

Prior tentative ruling as of 1/26/15. Off calendar. The court has reviewed debtor's post-confirmation status report and continues the status conference on its own motion to 4/15/15 at 11:00 a.m. A further status report is due 4/8/15. No appearances are required on 1/28/15.

Prior tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 7/21/14. Appearances are required on 7/23/14, but counsel may appear by telephone.

Prior tentative ruling as of 7/8/14. No tentative ruling on the merits. Appearances are required on 7/9/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's post-confirmation status report and continues the status conference to 5/7/14 at 11:00 a.m. No appearances required on 11/6/13, but a further status report is due on 4/30/14.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E Mcgoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

Adv#: 2:15-01679

THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#5.00 Cont'd hearing re: Motion for protective order to stay discovery, or in the alternative motion to allow counsel to withdrawal as counsel for Ace Gallery New York corporation fr. 10/3/18

Docket 409

Tentative Ruling:

Deny defendants' motion to protective order to stay discovery for insufficient showing under Keating v. United States, 45 F.3d 322 (9th Cir. 1995) that a stay of proceedings is justified. While defendant Christmas might properly invoke a Fifth Amendment self-incrimination privilege in these civil proceedings, the basis for staying these civil proceedings is significantly diminished because he has not been charged with any crime, that is, there is no pending indictment against him and it is not even clear whether there is any pending criminal investigation against him. General Electric Co. v. Liang, 2014 WL 1089264 (C.D. Cal. 2014). A stay of proceedings will be prejudicial to plan agent and the other parties in litigating these proceedings because the matter is being actively litigated, and delay might well make it difficult to litigate due to lapse of witness memories and unavailability of documentary evidence over time and will slow down and impede the efforts of the plan agent to seek recoveries in litigation to pay creditors under the confirmed reorganization plan. While defendant Christmas may be burdened to invoke the Fifth Amendment privilege in these civil proceedings to avoid testifying or disclosing information which may be used against him in a criminal prosecution, it is permissible to conduct civil proceedings at the same time as a related criminal proceeding in which he may have to invoke the privilege, and indeed, it may be permissible for a trier of fact to draw adverse inferences from the invocation of the Fifth Amendment privilege. *Id.* Any of Christmas' Fifth Amendment concerns can be addressed during discovery through appropriate objections on a question by question basis and through motions in limine why the trier of fact should not be made aware that he invoked the privilege or should not draw an adverse inference that he has

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

CONT... **Art and Architecture Books of the 21st Century** **Chapter 11**

invoked the privilege. *Id.* The factor of convenience of the court and judicial efficiency weighs against a stay here because the court has an interest in clearing its docket, particularly here where there is no pending indictment and no way to predict when a criminal investigation will end. The court is unaware of any nonparties whose interests would be affected by the court's decision on granting a stay or not. The factor of interest of the public is neutral because while there is a public interest in ensuring that the criminal process is not undermined by civil proceedings, there is a public interest in speedy resolution of a plaintiff's civil claim. *Id.* On balance, given the lack of a criminal indictment or any information concerning the status or scope of a criminal investigation, the various Keating factors weigh against granting a stay of proceedings here.

Deny alternative motion of counsel for defendants Ace Museum and Ace Gallery New York to withdraw. Since the court is not granting plan agent's request to appoint counsel as the agent for these defendants to respond to discovery, there is no risk of engaging in making disclosures that might incriminate their other client, defendant Christmas, whom they represent in a personal capacity.

Appearances are required on 10/17/18.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Shirley Holst

Represented By
Susan I Montgomery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Douglas Christmas	Represented By Alan W Forsley
Ace Gallery New York, Inc., a	Represented By Alan W Forsley
ACE MUSEUM, a California	Represented By Alan W Forsley
400 S La Brea, LLC a California	Represented By Michael W Vivoli Ashley M McDow Ronald Rus Fahim Farivar Brian L Davidoff Keith Patrick Banner
Jennifer Kellen	Represented By J. Bennett Friedman

Movant(s):

Douglas Christmas	Pro Se
Ace Gallery New York Corporation,	Pro Se
ACE MUSEUM, a California	Pro Se
ACE MUSEUM, a California	Pro Se
Ace Gallery New York Corporation,	Pro Se
ACE MUSEUM, a California	Represented By Alan W Forsley
Ace Gallery New York Corporation,	Pro Se
ACE MUSEUM, a California	Pro Se
Douglas Christmas	Represented By Alan W Forsley
Ace Gallery New York Corporation,	Represented By Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

Douglas Christmas

Pro Se

Plaintiff(s):

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson
Jason Balitzer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#6.00 Hearing re: Plaintiff's motion: (1) to compel defendants Ace Museum Corporation and Ace Gallery New York Corporation to respond to written discovery; and (2) to compel Douglas Christmas to authorize release of Ace Gallery New York Corporation Federal Tax Returns

Docket 432

Tentative Ruling:

Grant motion to compel discovery in part and deny in part. Order defendant Christmas to execute IRS Forms 4506 to release tax returns of defendants Ace Museum and Ace Gallery New York within 10 days since that request is not opposed by defendants and he may be ordered to sign a consent directive to release tax returns. Order defendants Ace Museum and Ace Gallery New York to produce documents in response to plan agent's document production requests within 30 days since defendants do not oppose production of non-privileged documents, but defendants must produce a privilege log if they withhold documents from production to plan agent based on privilege. Order each of defendants Ace Museum and Ace Gallery New York to take action, including appointing an agent, if they can, to fully respond to plan agent's written interrogatories and requests for admission within 30 days, or provide statements under penalty of perjury that it cannot answer because of the Fifth Amendment privilege asserted by the only knowledgeable person or persons and there is no person who can serve as an agent who could gather and obtain from books, records, other officers or employees, or other sources, the information necessary to answer the interrogatories and requests for admission and sign them on behalf of each defendant without risking self-incrimination. *City of Chicago v. Reliable Truck Parts Co., Inc.*, 1992 WL 109049 (N.D. Ill. 1992), objections overruled, 1992 WL 142630 (N.D. Ill. 1992), on remand from, 768 F.Supp. 642 (N.D. Ill. 1991). While counsel for defendants in his declaration described efforts to find a person to serve as an agent for defendants in lieu of defendant Christmas who claims his Fifth Amendment privilege against self-incrimination

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

CONT... **Art and Architecture Books of the 21st Century** Chapter 11

to respond to the plan agent's discovery, including former accountant Gary Mendelson, former bookkeeper Shirley Holst and defendant Christmas's wife, Jennifer Kellen, the declaration is inadequate because there is no evidence of a statement under penalty of perjury from each defendant that as to each written interrogatory and each request for admission, it cannot answer because of the Fifth Amendment privilege assert by the only knowledgeable person or person and that despite diligent efforts, an appropriate agent who could gather and obtain from books, records, other officers or employees, or other sources, the information necessary to answer the interrogatories and requests for admission and sign them on behalf of each defendant cannot be found. The court declines to grant the plan agent's request to order the appointment of agents for defendants Ace Museum and Ace Gallery New York because it does not appear that any of the suggested persons can be compelled to serve, that is, Mendelson and Holst are former employees, Kellen as Christmas's wife probably has the marital privilege and counsel for defendants have not been shown to have authority to act as agents to respond to discovery aside from their ethical concerns about restrictions on attorneys giving testimony in cases representing clients, California Rule of Professional Conduct 5-720, see also, 2 O'Connell and Stevenson, Rutter Group Practice Guide: Federal Civil Procedure Before Trial, paragraph 11:1170 (2018). While it may be proper for counsel to serve as an agent for purposes of responding to discovery, the plan agent cites no authority showing that the court can compel counsel to so act. The court reserves ruling on whether or not defendants' responses to plan agent's discovery requests are adequate until after defendants have had an opportunity to comply with the court's rulings compelling further responses as set forth in this tentative ruling, and thus, determines that it is premature to rule on the plan agent's request for terminating sanctions at this time.

Appearances are required on 10/17/18.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

Defendant(s):

Ace Gallery New York Corporation,

Represented By
Alan W Forsley

Douglas Christmas

Represented By
Alan W Forsley

Ace Gallery New York, Inc., a

Represented By
Alan W Forsley

ACE MUSEUM, a California

Represented By
Alan W Forsley

400 S La Brea, LLC a California

Represented By
Michael W Vivoli
Ashley M McDow
Ronald Rus
Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson
Jason Balitzer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/7/18, 5/9/18, 7/11/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/15/18. No tentative ruling on the merits. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed debtor's status report and request to continue the status conference. No tentative ruling on the merits. Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/18. The court has reviewed debtor's status report suggesting a continued status conference in about 60 days. No tentative ruling on the merits. Appearances are required on 3/7/18 to hear from other parties on status, including compliance with United States Trustee requirements, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#8.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/7/18, 3/21/18, 6/27/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/15/18. No tentative ruling on the merits. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. Appearances are required on 3/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Fox Property Holdings, LLC

Represented By
Timothy J Yoo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

2:18-10692 Morningside, LLC

Chapter 11

#9.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/21/18, 6/27/18

Docket 1

***** VACATED *** REASON: Case dismissed per order entered on 8/30/18
-mb.**

Tentative Ruling:

Off calendar. The status conference is moot because the case was dismissed. No appearances are necessary.

Party Information

Debtor(s):

Morningside, LLC

Represented By
Moises S Bardavid

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#10.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/11/18, 7/11/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/15/18. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. No tentative ruling on the merits. Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. The proposed claims bar date of 5/15/18 will not be approved since this court generally requires at least 60 days notice to creditors of a claims bar date. The estimated administrative expenses in this case stated in the status report for \$250,000 to \$350,000 seem high, especially since debtors' budget motion and income and expense statements showing net income of about \$1,700 per month do not show that debtors have the ability to afford such expenses. There should be some explanation why the large amount of professional fee expenses estimated in the status report are needed in this case, and how debtors will be able to pay for these expenses (i.e., are they selling their real property to raise funds to pay for these fees). Appearances are required on 4/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

2:18-17263 8800 LLC

Chapter 11

#11.00 Hearing re: Debtor's motion for entry of an order extending time to assume or reject leases pursuant to 11 U.S.C. §365

Docket 78

Tentative Ruling:

Grant debtor's motion to extend time to assume or reject leases for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 10/17/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

2:18-17263 8800 LLC

Chapter 11

#12.00 Hearing re: Motion to extend the debtor's exclusivity periods for the debtor to file a plan of reorganization and obtain acceptance thereof

Docket 77

Tentative Ruling:

Grant debtor's motion to extend plan exclusivity periods for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 10/17/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

2:18-19570 Rich Honey, Inc.

Chapter 11

#13.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 10/17/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rich Honey, Inc.

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#14.00 Cont'd hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon
fr. 10/10/18

Docket 152

Tentative Ruling:

Updated tentative ruling as of 10/15/18. No tentative ruling on the merits. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling. The motion of United States Trustee to dismiss or convert is based on somewhat technical violations of the bankruptcy rules and United States Trustee guidelines which have been remedied or can readily be remedied, such as lack of sufficient proof of insurance coverage, late filing of monthly operating reports and incomplete payment of quarterly fees. The court is inclined to continue the hearing on the motion to allow short but reasonable period of time to allow debtor to take corrective action to remedy these readily remediable technical violations.

The required corrective action to address the concerns raised in the motion as attested to by the bankruptcy analyst must include:

1. Proof of insurance coverage, which appears to have been provided now.
2. Prompt payment of any United States Trustee quarterly fees currently due.
3. Complete disclosure of all receipts and disbursements by debtor postpetition on her monthly operating reports, which require amendment of her filed reports. Disclosures must include identification of all receipts of family support payments and all disbursements of any and all funds by her postpetition. Debtor in her opposition to the motion indicates that she would file amended reports, but has not yet done so, which calls to mind the adage that actions speak louder than words.
4. Appropriate use of debtor's DIP bank accounts, including using her general DIP account for most disbursements, and discontinuance of use of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 17, 2018

Hearing Room 1675

11:00 AM

CONT... Catherine Trinh

Chapter 11

the DIP payroll and tax accounts because there does not appear to be a justifiable reason to have these separate DIP accounts apart from the general DIP account.

5. Discontinuance of debtor's use of a community property joint bank account with the nondebtor spouse.

6. Timely filing of future monthly operating reports. The court is of the view that the previous reports have not been late for long periods of time, but debtor's persistent tardiness in filing her reports indicates a dilatory attitude which goes to show that she lacks sufficient motivation to prosecute this case, which may by itself warrant granting relief requested by the United States Trustee.

No tentative ruling as of 10/5/18. Appearances are required on 10/10/18.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 18, 2018

Hearing Room 1675

1:30 PM

2:17-17642 Amber Andersen

Chapter 7

Adv#: 2:17-01523 Andersen v. Navient Solutions LLC

**#1.00 TRIAL RE: Complaint to determine dischargeability of student loans
fr. DS, 2/6/18, 3/20/18, 6/26/18**

Docket 1

***** VACATED *** REASON: Adversary dismissed per stip & order
entered on 9/6/18-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by stipulation and order entered on 9/6/18. No appearances are necessary.

Party Information

Debtor(s):

Amber Andersen

Represented By
John D Faucher

Defendant(s):

Navient Solutions LLC

Represented By
Robert S Lampl

Plaintiff(s):

Amber Andersen

Represented By
John D Faucher

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

10:30 AM

2:18-14084 Edgar Eduardo Esparza

Chapter 11

#1.00 Cont'd hearing re: Motion for relief from stay
(Deutsche Bank National Trust Company VS Debtor)
fr. 9/11/18

Docket 32

***** VACATED *** REASON: Matter settled by stipulation, per order
entered on 10/15/18-NV**

Tentative Ruling:

Off calendar. Motion resolved by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

Edgar Eduardo Esparza

Represented By
Giovanni Orantes
Luis A Solorzano

Movant(s):

Deutsche Bank National Trust

Represented By
Kelly M Raftery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

10:30 AM

2:18-17260 Casey Jon Schein and Diana Marie Schein

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Financial Services Vehicle Trust VS Debtors)

Docket 17

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Casey Jon Schein

Represented By
David H Chung

Joint Debtor(s):

Diana Marie Schein

Represented By
David H Chung

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

10:30 AM

2:18-20906 J Pamela Corradi

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Cab West LLC VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived. Appearances are required on 10/23/18 in light of debtor's response to the motion, but counsel may appear by telephone.

Party Information

Debtor(s):

J Pamela Corradi

Pro Se

Movant(s):

Cab West LLC

Represented By
Jennifer H Wang

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

10:30 AM

2:18-20919 Jennifer Mae Spishak

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(The Golden 1 Credit Union VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Jennifer Mae Spishak

Represented By
Mark J Markus

Movant(s):

The Golden 1 Credit Union

Represented By
Mirco J Haag

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

11:00 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#4.10 Cont'd hearing re: Motion to Sell Property of the Estate Free and Clear of Liens under Section 363(f) Debtor's Motion For The Entry Of An Order: (1) Approving The Sale Of Real Property Free And Clear Of All Liens, Claims, Encumbrances, And Interests, With The Exception Of Enumerated Exclusions, Subject To Overbid, (2) Finding That The Buyer Is Good Faith Purchaser, (3) Approving Bidding Procedures And Break-Up Fee, (4) Authorizing And Approving The Payment Of Certain Claims From Sale Proceeds, And (5) Waiving The Fourteen-Day Stay Period Set Forth In Bankruptcy Rule 6004(h) fr. 10/2/18, 10/16/18

Docket 313

Tentative Ruling:

No updated tentative ruling as of 10/23/18. Appearances are required on 10/23/18, but counsel may appear by telephone.

No updated tentative ruling as of 10/15/18. Appearances are required on 10/16/18.

No tentative ruling as of 10/1/18. Appearances are required on 10/2/18. Counsel should appear in person.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01217 Gonzalez v. Brown et al

#5.00 Cont'd status conference re: Complaint for: (1) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §544(b)(1), 548(a)(1)(A), and 550, and California Civil Code §3439.04(a)(1); (2) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(I), and 550, and California Civil Code §3439.05; (3) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(II) and 550, and California Civil Code §3439.04(a)(2)(A); (4) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(III), and 550, and California Civil Code §3439.04(a)(2)(A); (5) Preservation of avoided transfer pursuant to 11 U.S.C. §551; (6) Disallowance of claim pursuant to 11 U.S.C. §502(d); and (7) Disallowance of claim pursuant to 11 U.S.C. §502(b)
fr. 7/10/18, 8/21/18, 10/23/18

Docket 1

***** VACATED *** REASON: Cont'd from 10/23/18 to 12/4/18 at 1:30 p.m.
per stip and order entered on 10/11/18**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 12/4/18 at 1:30 p.m. No appearances are required on 10/23/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
Stephen S Smyth
William J Smyth

Defendant(s):

Robert Anthony Brown

Pro Se

Law Office of Robert Brown

Pro Se

Acquiplied Assets, B.T.

Pro Se

Wladimir John Klimenko

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

CONT... Wladimir John Klimenko

Chapter 7

Wladimir J. Klimenko Living Trust	Pro Se
Jeffrey Alan Abraham	Pro Se
JMS Financial, Inc	Pro Se
Deanna Shapiro	Pro Se
BANK OF THE WEST	Pro Se

Plaintiff(s):

Rosendo Gonzalez

Represented By
Sherri S Shafizadeh
Thomas A Fasel

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

2:16-26310 Jong Kyu Cha

Chapter 7

Adv#: 2:17-01201 Hanin Federal Credit Union v. Cha

#6.00 Cont'd status conference re: Complaint for nondischargeability of debt pursuant to 11 U.S.C. §523(a)(2)(A) and (B), 11 U.S.C. 523(a)(4) and 11 U.S.C. §523(a)(6) fr. 1/30/18, 6/5/18, 9/11/18

Docket 1

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by stipulation and order by reason of settlement. No appearances are necessary.

Party Information

Debtor(s):

Jong Kyu Cha

Represented By
Jisoo Hwang

Defendant(s):

Jong Kyu Cha

Pro Se

Plaintiff(s):

Hanin Federal Credit Union

Represented By
Jiyoung Kym
Jiyoung Kym

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

2:17-16232 Hye Jung Oh

Chapter 7

Adv#: 2:17-01408 Neman Brothers & Associates, Inc., a California co v. Oh

#7.00 Cont'd status conference re: Complaint to determine dischargeability of a debt and objection to discharge
fr. 1/16/18, 4/17/18, 7/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/23/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 7/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. The status conference will be conducted on the 2:30 p.m. calendar with the hearing on plaintiff's motion for default judgment. Appearances are required at 2:30 p.m., not 1:30 p.m. No tentative ruling on the merits.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 10/24/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Hye Jung Oh

Represented By
Young K Chang

Defendant(s):

Hye Jung Oh

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

CONT... Hye Jung Oh

Chapter 7

Plaintiff(s):

Neman Brothers & Associates, Inc.,

Represented By
Nico N Tabibi

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01213 Grand View Financial, LLC v. Hanes

#8.00 Cont'd status conference re: Complaint for turnover of property of the estate
fr. 8/28/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/18. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 10/23/18, but counsel may appear by telephone.

Prior tentative ruling. Given the severity of the circumstances of turnover in the circumstances of this case, if plaintiff seeks judgment against defendants (meaning eviction of defendants from their residence which they had conveyed to plaintiff for it to perform certain services to save their home from foreclosure in exchange for rent payments and shared equity arrangements, which defendants allegedly defaulted), the court will order that plaintiff serve any dispositive motion on defendants by personal delivery. Appearances are required on 8/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Shirley Hanes

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01214 Grand View Financial, LLC v. Ho

#9.00 Cont'd status conference re: Complaint for turnover of property of the estate
fr. 8/28/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/18. Off calendar. The court on its own motion continues the status conference to 11/27/18 at 2:30 p.m. to be conducted with the continued hearing on plaintiff's motion for default judgment and defendant's motion to set aside default. No appearances are required on 10/23/18.

Prior tentative ruling. Given the severity of the circumstances of turnover in the circumstances of this case, if plaintiff seeks judgment against defendants (meaning eviction of defendants from their residence which they had conveyed to plaintiff for it to perform certain services to save their home from foreclosure in exchange for rent payments and shared equity arrangements, which defendants allegedly defaulted), the court will order that plaintiff serve any dispositive motion on defendants by personal delivery. Appearances are required on 8/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Steven Ho

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

CONT...

Grand View Financial LLC

Todd M Arnold

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

2:18-11726 Masoud Fallah Moghadam

Chapter 7

Adv#: 2:18-01143 American Express National Bank v. Moghadam

#10.00 Cont'd status conference re: Complaint to determine dischargeability of debt
fr. 7/17/18

Docket 1

***** VACATED *** REASON: Default judgment entered on 9/19/18-mb.**

Tentative Ruling:

Off calendar. Default judgment entered. No appearances are necessary.

Party Information

Debtor(s):

Masoud Fallah Moghadam Pro Se

Defendant(s):

Masoud Fallah Moghadam Pro Se

Plaintiff(s):

American Express National Bank Represented By
Dennis Winters

Trustee(s):

Brad D Krasnoff (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

2:18-16152 Marina Malko

Chapter 7

Adv#: 2:18-01270 Malko v. PMI Mortgage Insurance Co.

#11.00 Status conference re: Complaint for avoidance and recovery of preferential transfer and for preservation action of avoided transfer for benefit if plaintiff's exemption

Docket 1

***** VACATED *** REASON: Voluntary dismissal of Adversary filed on 10/9/18**

Tentative Ruling:

Off calendar. Adversary proceeding voluntarily dismissed by notice filed on 10/9/18. No appearances are necessary.

Party Information

Debtor(s):

Marina Malko

Represented By
Gary G Barsegian - INACTIVE -

Defendant(s):

PMI Mortgage Insurance Co.

Pro Se

Plaintiff(s):

Marina Malko

Represented By
Keith S Dobbins

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#12.00 Cont'd status conference re: Motion for order to show cause pursuant to Local Bankruptcy Rule 9020-1 why the debtor should not be held in contempt for violating a court order fr. 10/2/18

Docket 36

***** VACATED *** REASON: Cont'd from 10/23/18 to 12/4/18 at 1:30 p.m. per stip & order entered on 10/22/18-mb.**

Tentative Ruling:

Revised tentative ruling as of 10/22/18. Off calendar. Continued by stipulation and order to 12/4/18 at 1:30 p.m. No appearances are required on 10/23/18.

No tentative ruling as of 10/1/18. Appearances are required on 10/2/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Seven-Bros Enterprises, Inc.

Represented By
Robert S Marticello
Gregory M Salvato

Trustee(s):

Rosendo Gonzalez

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

2:18-18266 Cynthia Diane Seten

Chapter 7

#13.00 Further order to show cause re: dismissal for failure to comply with Rule 1006(b)
fr. 8/28/18

Docket 31

Tentative Ruling:

No tentative ruling as of 10/22/18. Appearances are required on 10/23/18.

Party Information

Debtor(s):

Cynthia Diane Seten

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

2:18-18999 John Donald Marshall

Chapter 7

#14.00 Cont'd order to show cause re debtor's failure to file Certificate of Credit Counseling fr. 9/11/18

Docket 10

Tentative Ruling:

Updated tentative ruling as of 10/22/18. While debtor has filed a certificate of completion of financial management course, he still has not filed a certification of completion of credit counseling, which is a separate requirement. Appearances are required on 10/23/18.

No tentative ruling as of 9/10/18. While debtor has filed a certificate of completion of financial management course, he still has not filed a certification of completion of credit counseling, which is a separate requirement. Appearances are required on 9/11/18.

Party Information

Debtor(s):

John Donald Marshall

Pro Se

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

2:18-19462 Vyronica Lee Smith

Chapter 7

Adv#: 2:18-01269 Smith v. Charter Communications Company Inc et al

#15.00 Status conference re: Complaint for damages 1. Violation of the automatic stay (15 USC Section362); 2. Intentional infliction of emotional distress; 3. Negligent infliction of emotional distress

Docket 1

Tentative Ruling:

Set discovery cutoff date of 2/28/19 and a post-discovery status conference on 3/12/19 at 1:30 p.m. A joint status report is due on 3/5/19. Order the matter to mediation and the parties to select a mediator and an alternate by 11/30/18.

Appearances are required on 10/23/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Vyronica Lee Smith	Pro Se
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Defendant(s):

Charter Communications Company	Pro Se
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DOES 1 to 10 Inclusive	Pro Se
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Plaintiff(s):

Vyronica Lee Smith	Pro Se
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Trustee(s):

Wesley H Avery (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

1:30 PM

2:18-20814 Joseph Flores-Beauchamp, Trustee of the Joseph Flo

Chapter 7

#16.00 Status conference re: Involuntary chapter 7 petition

Docket 1

Tentative Ruling:

No tentative ruling as of 10/22/18. Appearances are required on 10/23/18.

Party Information

Debtor(s):

Joseph Flores-Beauchamp, Trustee

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:00 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01113 Diamond, Chapter 7 Trustee, Plaintiff v. Premier Rehabilitation Services, a

#17.00 Pretrial conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 2/6/18, 4/24/18, 5/29/18

Docket 1

***** VACATED *** REASON: Cont'd from 10/23/18 to 1/8/19 at 2:00 p.m.
per stip & order entered on 8/10/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/22/18. Off calendar. Continued by stipulation and order to 1/8/19 at 2:00 p.m. No appearances are required on 10/23/18.

Prior tentative ruling as of 5/25/18. The court has reviewed the joint status report. Set a discovery cutoff date of 8/30/18, a pretrial conference for 10/23/18 at 2:00 p.m. and a deadline for filing a joint pretrial stipulation on 10/16/18. In the joint pretrial stipulation, the parties will need to address handling a bifurcated trial between claims to be tried before a jury in the district court and claims to be tried by the court in this court. Once the court approves the joint pretrial stipulation, the court will set a date for the court trial of the claims to be tried by this court and will make a referral of the jury triable claims to the district court. Appearances are required on 5/29/18 to discuss scheduling of further proceedings.

Prior tentative ruling as of 2/5/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 2/6/18 to discuss scheduling of further proceedings, including timing of amendment of pleadings, the proposed extended discovery cutoff date and the setting of a pretrial conference, but counsel may appear by telephone. Defendants have demanded a jury trial, but the court will defer referral of the jury triable claims to the district court for jury trial until the pretrial conference which this court will conduct (unless defendant successfully moves the district court to

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:00 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

withdraw the reference). Plaintiff's potential postpetition transfer claims are core claims within this court's jurisdiction and do not appear to be jury triable.

Prior tentative ruling as of 11/6/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 11/7/17 to discuss scheduling of further proceedings, including mediation completion, extended discovery cutoff date and trial, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. The court has reviewed the joint status report. No tentative ruling on the merits, but grant joint request to extend the discovery cutoff date to 9/30/17. Appearances are required on 8/29/17 to discuss scheduling of a pretrial conference and the second mediation, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/23/17 to discuss scheduling of further proceedings, including extension of discovery cutoff date to 6/30/17 and setting a date for a pretrial conference, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 3/21/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 9/30/16 and to complete mediation by 1/17/17. Appearances are required on 5/3/16, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:00 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Premier Rehabilitation Services, a Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7 Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR) Pro Se

Richard K Diamond (TR) Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:00 PM

2:17-15730 Rossby Ruiz

Chapter 7

Adv#: 2:18-01111 Reynoza-Fonseca v. Ruiz

#18.00 Cont'd status conference re: Declaratory relief
fr. 6/26/18, 9/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/23/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/18/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 6/26/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rosby Ruiz

Represented By
Freddie V Vega
David J Richardson

Defendant(s):

Rosby Ruiz

Pro Se

Plaintiff(s):

Ageda Reynoza-Fonseca

Represented By
Steven J Shapero

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:00 PM

2:17-17761 Paul Bodeau

Chapter 11

Adv#: 2:17-01455 Oggi's Pizza and Brewing Company v. Bodeau et al

#19.00 Pretrial conference re: Removal of state court action to bankruptcy court and filing of underlying pleadings
fr. 10/3/17, 12/5/17, 7/17/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/18. Off calendar. At the hearing on creditor's motion to dismiss on 10/17/18, the court continued the pretrial conference to 11/7/18 at 11:00 a.m. as a status conference. No appearances are required on 10/24/18.

Prior tentative ruling as of 7/16/18. The court has reviewed the joint status report. Appearances are required on 7/17/18 to discuss the status of the mediation, timing of expert witness discovery and scheduling of pretrial conference and trial. Appearances are required on 7/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. The court has reviewed the joint status report. Set a discovery cutoff date of 6/30/18 and a further postdiscovery status conference for 7/17/18 at 1:30 p.m. with a joint status report due on 7/10/18. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 1/31/18 and complete mediation by 7/17/18. Appearances are required on 12/5/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/3/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Paul Bodeau

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:00 PM

CONT...

Paul Bodeau

Chapter 11

Lane K Bogard
David R Haberbush
Vanessa M Haberbush

Defendant(s):

Paul Bodeau	Pro Se
Sandra Bodeau	Pro Se
Kevin Michael Bodeau	Pro Se
Bodeau Enterprises	Pro Se
DOES 1-50	Pro Se

Joint Debtor(s):

Sandra Bodeau	Represented By Lane K Bogard David R Haberbush Vanessa M Haberbush
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Plaintiff(s):

Oggi's Pizza and Brewing Company	Represented By Louis H Altman
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:11-43502 Henry Isaac Bushkin

Chapter 7

#20.00 Hearing re: Trustee's motion for order approving compromise between trustee, Bruce Singer and Singer Financial Corporation

Docket 120

Tentative Ruling:

Grant trustee's motion to approve compromise for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 10/23/18, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Henry Isaac Bushkin

Represented By
Leslie A Cohen

Trustee(s):

David A Gill (TR)

Represented By
Eric P Israel
George E Schulman
Kevin Meek
Aaron E de Leest

Diane C Weil (TR)

Represented By
Eric P Israel
Aaron E de Leest

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01113 Diamond, Chapter 7 Trustee, Plaintiff v. Premier Rehabilitation Services, a

#21.00 Cont'd hearing re: Defendant's motion for summary judgment or in the alternative summary adjudication
fr. 9/4/18

Docket 54

***** VACATED *** REASON: Granted in part and denied in part per order entered on 10/18/18-mb.**

Tentative Ruling:

Off calendar. The court determines that oral argument is not necessary, dispenses with it, vacates the hearing, takes the motion under submission and has issued a written order ruling on the motion. No appearances are required on 10/23/18.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M. Jonathan Hayes
Michael Jay Berger

Defendant(s):

Premier Rehabilitation Services, a

Represented By
Jeffrey S Shinbrot

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell
Howard Kollitz
Zev Shechtman

Trustee(s):

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

CONT...

Corona Care Convalescent Corporation

Walter K Oetzell
Zev Shechtman

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01113 Diamond, Chapter 7 Trustee, Plaintiff v. Premier Rehabilitation Services, a

#22.00 Hearing re: Plaintiff's motion for summary judgment or in the alternative summary adjudication

Docket 64

***** VACATED *** REASON: Granted in part and denied in part per order entered on 10/18/18-mb.**

Tentative Ruling:

Off calendar. The court determines that oral argument is not necessary, dispenses with it, vacates the hearing, takes the motion under submission and has issued a written order ruling on the motion. No appearances are required on 10/23/18.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M. Jonathan Hayes
Michael Jay Berger

Defendant(s):

Premier Rehabilitation Services, a

Represented By
Jeffrey S Shinbrot

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell
Howard Kollitz
Zev Shechtman
Sonia Singh

Trustee(s):

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

CONT...

Corona Care Convalescent Corporation

Walter K Oetzell
Zev Shechtman

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01556 Gonzalez v. Klimenko

#23.00 Hearing re: Motion for order setting aside default judgment denying debtor's discharge
FRCP Rule 60

Docket 42

Tentative Ruling:

Deny defendant's motion to set aside default judgment for the reasons stated in the opposing papers. As shown in the opposing papers, plaintiff will be prejudiced by further delay in administration of the estate if he has to litigate the adversary proceeding where there is no defense to the claim asserted in the complaint, namely, defendant willfully removed and concealed property of the estate, namely postpetition rents on the estate's real property, especially in the light of the court's turnover order in December 2017, defendant lacks a meritorious defense to the claim in the complaint since he failed to turnover the postpetition rents as he was required to do under the Bankruptcy Code and the court's turnover order and defendant's culpable conduct led to his default that he failed to timely respond to the complaint after the last extension to respond expired. *Falk v. Allen*, 739 F.2d 461, 463 (9th Cir. 1984). Appearances are required on 10/23/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh

Defendant(s):

Wladimir John Klimenko

Represented By
James Studer

Plaintiff(s):

Rosendo Gonzalez

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

CONT... Wladimir John Klimenko

Chapter 7

D Edward Hays
Laila Masud

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01556 Gonzalez v. Klimenko

#24.00 Cont'd status conference re: Complaint objecting to discharge
fr. 6/5/18, 7/31/18, 9/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/23/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. Off calendar. The court has reviewed plaintiff's unilateral status report. As alternatively suggested by plaintiff, the court on its own motion continues the status conference to 10/23/18 at 2:30 p.m. to be conducted with the hearing on defendant's motion to set aside default. Plaintiff to give notice to defendant. No appearances are required on 9/18/18.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report and continues the status conference on its own motion to 9/18/18 at 1:30 p.m. in light of plaintiff's pending motion for default judgment. No appearances are required on 7/31/18.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh
Michael Jay Berger

Defendant(s):

Wladimir John Klimenko

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

CONT... Wladimir John Klimenko

Chapter 7

Plaintiff(s):

Rosendo Gonzalez

Represented By
D Edward Hays

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

#24.10 Hearing re: Application for Compensation Marshack Hays LLP, as General Counsel

Docket 170

Tentative Ruling:

Approve interim fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 10/23/18, but trustee and applicants may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
William J Smyth
Tina H Trinh

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
D Edward Hays
Sarah Cate Hays
Laila Masud

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#25.00 Hearing re: Chapter 7 trustee's motion for an order disallowing claim no. 8-1 filed by Peggy Meyer Jarvel

Docket 257

***** VACATED *** REASON: Continued from 10/23/18 to 11/27/18 at 2:30 p.m. per stip and order entered on 10/12/18**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 11/27/18 at 2:30 p.m. No appearances required on 10/23/18.

Party Information

Debtor(s):

Eugen Valentin Dietl

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Aram Ordubegian
Annie Y Stoops
M Douglas Flahaut
Christopher K.S. Wong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#26.00 Hearing re: Chapter 7 trustee's motion for an order disallowing claim no. 10-1 filed by Keystone Law Group, P.C.

Docket 258

***** VACATED *** REASON: Continued from 10/23/18 to 11/27/18 at 2:30 p.m. per stip and order entered on 10/12/18**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 11/27/18 at 2:30 p.m. No appearances required on 10/23/18.

Party Information

Debtor(s):

Eugen Valentin Dietl

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By

Aram Ordubegian

Annie Y Stoops

M Douglas Flahaut

Christopher K.S. Wong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#27.00 Hearing re: Chapter 7 trustee's motion for an order disallowing claim no. 12-1 filed by Erik Cooper

Docket 259

Tentative Ruling:

Off calendar. Claim withdrawn by creditor by notice filed on 10/1/18. No appearances required on 10/23/18.

Party Information

Debtor(s):

Eugen Valentin Dietl

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By

Aram Ordubegian

Annie Y Stoops

M Douglas Flahaut

Christopher K.S. Wong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#28.00 Hearing re: Chapter 7 trustee's motion for an order disallowing claim no. 13-1 filed by John C. Frick

Docket 260

Tentative Ruling:

Grant trustee's motion objecting to claim of John C. Frick for the reasons stated in the moving papers and for lack of timely written opposition in that the claim is for postpetition professional services to debtor then in possession by a professional whose employment was not authorized by the court pursuant to the Bankruptcy Code. The court notes that while claimant filed a notice of withdrawal on 10/19/18 after the objection was filed, claimant filed a notice of lodgment of civil judgment and notice of lien, which appears to be an amended secured claim.

Appearances are required on 10/23/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Eugen Valentin Dietl

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By

Aram Ordubegian

Annie Y Stoops

M Douglas Flahaut

Christopher K.S. Wong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01035 Grand View Financial, LLC v. Nations Direct Mortgage, LLC et al

#29.00 Hearing re: Motion to dismiss plaintiffs first amended complaint

Docket 38

Tentative Ruling:

Revised tentative ruling as of 10/22/18. Grant in part and deny in part defendants' motion to dismiss plaintiff's first amended complaint as follows:

Deny motion to dismiss the first claim for relief as to the allegation that none of the defendants has a lien on the property pursuant to the original deed of trust or otherwise, but grant motion to dismiss with prejudice the first claim for relief as to the other allegations since plaintiff fails to state a plausible claim as to these allegations.

Deny motion to dismiss the second claim for relief because plaintiff states a plausible claim for relief.

Grant motion to dismiss the third claim for relief with prejudice because plaintiff fails to state a plausible claim. The allegations contain the same deficiencies as the original complaint that the alleged acts were not directed to plaintiff or have not occurred, but may be future acts.

Order defendant to serve and file an answer to the undismissed claims of the first amended complaint within 14 days.

Appearances are required on 10/23/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

CONT... Grand View Financial LLC

Chapter 11

Defendant(s):

Nations Direct Mortgage, LLC	Pro Se
Mortgage Electronic Registration	Represented By Christopher O Rivas
Fidelity National Title aka Fidelity	Pro Se
PennyMac Loan Services, LLC	Represented By Christopher O Rivas
PennyMac Corp.	Represented By Christopher O Rivas
Massachusetts Mutual Life	Pro Se

Plaintiff(s):

Grand View Financial, LLC	Represented By Todd M Arnold
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01035 Grand View Financial, LLC v. Nations Direct Mortgage, LLC et al

#30.00 Hearing re: Motion to strike plaintiff's first amended complaint

Docket 41

Tentative Ruling:

Revised tentative ruling as of 10/22/18. Deny defendants' motion to strike plaintiff's first amended complaint because the grounds are more the proper subject of defendants' motion to dismiss, which the court has tentatively ruled upon and addresses the concerns raised by the motion to strike. Appearances are required on 10/23/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Nations Direct Mortgage, LLC

Pro Se

Mortgage Electronic Registration

Represented By
Christopher O Rivas

Fidelity National Title aka Fidelity

Pro Se

PennyMac Loan Services, LLC

Represented By
Christopher O Rivas

PennyMac Corp.

Represented By
Christopher O Rivas

Massachusetts Mutual Life

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

CONT... Grand View Financial LLC

Chapter 11

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01035 Grand View Financial, LLC v. Nations Direct Mortgage, LLC et al

#31.00 Cont'd status conference re: Complaint for: (1) Declaratory relief; (2) Disallowance of any claims of PennyMac Loan Services, LLC; and (3) Violation of fair debt collection practices act
fr. 4/10/18, 6/5/18, 7/17/18, 10/2/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/23/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. Off calendar. The court has reviewed the joint status report requesting a continuance of the status conference in light of pending settlement discussions, and the court on its own motion continues the status conference to 10/2/18 at 1:30 p.m. No appearances are required on 7/17/18. Counsel for plaintiff to notify counsel for defendants of the continuance.

Prior tentative ruling. The court has reviewed the joint status report suggesting that the status conference be continued until late May 2018 because the pleadings are not yet at issue. The court continues the status conference on its own motion to 6/5/18 at 1:30 p.m., and a further joint status report must be filed on or before 5/29/18. No appearances are required on 4/10/18. Counsel for plaintiff is to give notice to counsel for defendants.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

CONT... Grand View Financial LLC

Chapter 11

Lindsey L Smith
Ian Landsberg

Defendant(s):

Nations Direct Mortgage, LLC	Pro Se
Mortgage Electronic Registration	Pro Se
Fidelity National Title aka Fidelity	Pro Se
PennyMac Loan Services, LLC	Pro Se
PennyMac Corp.	Pro Se
Massachusetts Mutual Life	Pro Se

Plaintiff(s):

Grand View Financial, LLC	Represented By Todd M Arnold
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

2:18-17575 Laura Palma

Chapter 7

#32.00 Cont'd hearing re: Motion for redemption of 2013 Nissan Versa under 11 U.S.C. 722 fr. 9/11/18

Docket 9

Tentative Ruling:

Updated tentative ruling as of 10/22/18. Treat motion to redeem property as a contested matter under FRBP 9014 because there are disputed issues of material fact regarding valuation of the subject property between debtor's valuation of \$2,484 and lender's Kelley Blue Book valuation of \$7,217. The court will treat the hearing on 10/23/18 as a status and trial setting conference and will set the matter for trial, which should be brief, 1 or 2 hours. The parties are to advise the court whether they will call witnesses for trial. Presumably, debtor will call herself as a witness, and the lender may have a live witness or may submit on the Kelley Blue Book valuation under FRE 803(17) (if so, debtor should advise whether she objects to lender's KBB valuation). Appearances are required on 10/23/18, but counsel may appear by telephone.

Prior tentative ruling. Deny debtor's motion to redeem personal property without prejudice because of procedural defects in motion: (1) the property to be redeemed is not listed on Schedules A/B, which lists a 2011 Nissan Versa with 91,000 miles whereas the motion for redemption lists a 2013 Nissan Versa with 81,000 miles (either the car to be redeemed is not listed on the schedules or the schedules are wrong and must be amended - movant needs to explain why the mileage is now less on the subsequently filed motion than on the schedules); (2) the property to be redeemed is not listed on Schedule C as exempt property, 11 U.S.C. 522 and 722, nor is the property shown to be abandoned, 11 U.S.C. 522 and 554; (3) the replacement value opinion of \$2,284 purportedly based on Edmunds.com, apparently unauthenticated hearsay, is not supported by competent admissible evidence of valuation - Craig Stone, the "redemption specialist", has not been shown to be a qualified valuation expert witness, whose valuation is based on scientifically validated valuation principles, and the same is true for debtor as the owner of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, October 23, 2018

Hearing Room 1675

2:30 PM

CONT... Laura Palma

Chapter 7

the property, FRE 701, 702, 801 and 901. (The Edmunds.com valuation submitted indicates a private party sale value of \$3,466 for a 2013 Nissan Versa in average condition, which may approximate the replacement value of the car.). Appearances are required on 9/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Laura Palma

Represented By
Michael E Clark

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

9:00 AM

6:16-14576 USA Sales, Inc.

Chapter 11

#1.00 Mediation

Docket 1

Tentative Ruling:

No tentative ruling for the mediation. Appearances are required on 10/24/18.

Party Information

Debtor(s):

USA Sales, Inc.

Represented By
Daren M Schlecter
Rachel S Milman Esq
A. Lavar Taylor
Lisa Nelson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#2.00 Hearing re: Motion of plan agent for leave to amend fourth amended complaint, and for joinder of additional section 550 defendants

Docket 439

***** VACATED *** REASON: Cont'd from 10/24/18 to 11/7/18 at 11:00 a.m. per amended notice of motion filed on 10/5/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 11/7/18 at 11:00 a.m. No appearances are required on 10/24/18.

Party Information

Debtor(s):

Art and Architecture Books of the	Represented By Thomas M Geher David W. Meadows Jerome S Cohen Carolyn A Dye
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Defendant(s):

Ace Gallery New York Corporation,	Represented By Alan W Forsley
Douglas Christmas	Represented By Alan W Forsley
Ace Gallery New York, Inc., a	Represented By Alan W Forsley
ACE MUSEUM, a California	Represented By Alan W Forsley
400 S La Brea, LLC a California	Represented By Michael W Vivoli Ashley M McDow Ronald Rus

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson
Jason Balitzer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#3.00 Hearing re: Application for payment of final fees and/or expenses for Brad Weil, debtor's attorney

Docket 278

Tentative Ruling:

Disallow 7.0 hours out of 19.0 hours on 2/26/18, 3/5/18, 3/6/18, 4/11/18 and 4/25/18 for drafting and redrafting disclosure statement - excessive time on task performed.

Disallow 3.0 hours of 6.0 hours on 2/28/18 for work on third interim fee application - excessive time on task performed.

Disallow 1.0 hours of 2.0 hours on 5/11/18 for preparing confirmation packet and drafting ballot - excessive time on task performed, nonattorney clerical work not billable at attorney rate.

Disallow 0.4 hours of 0.8 hour on 6/11/18 for work on proof of service of plan and disclosure statement and filing same - excessive time on task performed, nonattorney clerical work not billable at attorney rate.

Otherwise, approve remaining fees for the reasons stated in the application and for lack of timely written objection. Appearances are optional on 10/24/18, but counsel may appear by telephone. Counsel to submit a proposed order within 7 days of hearing.

Disallow 5.0 hours out of 9.0 hours on 5/25/18, 5/31/18, 6/12/18 and 6/20/18 for drafting plan confirmation brief - excessive time on task performed.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#4.00 Cont'd hearing re: Second interim application for payment of compensation and reimbursement of expenses of Illyssa I. Fogel & Associates, bankruptcy counsel to debtor fr. 8/29/18

Docket 499

***** VACATED *** REASON: withdrawn per notice filed on 9/27/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/22/18. Off calendar. Application withdrawn by notice filed on 9/27/18. No appearances are necessary.

Prior tentative ruling as of 8/27/18. Appearances are required on 8/29/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/27/18, 8/8/18, 9/19/18

Docket 1

Tentative Ruling:

Revised tentative ruling as of 10/23/18. Off calendar. Continued by stipulation and order to 11/28/18 at 11:00 a.m. No appearances are required on 10/24/18.

Prior tentative ruling as of 6/25/18. Off calendar. Continued by stipulation and order to 8/8/18 at 11:00 a.m. No appearances are required on 6/27/18.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. No tentative ruling on the merits. Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits. Appearances are required on 10/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Shapphire Resources, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#6.00 Cont'd hearing re: Application for payment of: final fees an/or expenses for David A Tilem, Debtor's Attorney, Period: 6/21/2017 to 7/31/2018, Fee: \$56,790.00, Expenses: \$2,884.39.
fr. 8/28/18

Docket 98

***** VACATED *** REASON: Cont'd from 10/24/18 to 12/5/18 at 11:00 a.m. per order entered on 10/22/18-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 10/22/18 at 5:30 p.m. Off calendar. Off calendar. Continued to 12/5/18 at 11:00 a.m. by order granting debtor's motion for continuance filed on or about 10/22/18. No appearances are required on 10/24/18.

Party Information

Debtor(s):

Peter G. Kudrave

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#7.00 Hearing re: Motion for entry of order authorizing debtor to (A) use cash collateral through and including April 30, 2019; and (b) borrow money from affiliate, US Longton, Inc., on an administrative expense property basis

Docket 112

Tentative Ruling:

Grant debtor's motion for entry of order authorizing use of cash collateral through April 30, 2019 for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 10/24/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Fox Property Holdings, LLC

Represented By

Timothy J Yoo

Juliet Y Oh

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#8.00 Cont'd hearing re: Application for payment of interim fees and/or expenses for Fredman Lieberman Pearl LLP
fr. 9/19/18

Docket 140

***** VACATED *** REASON: Per order entered on 10/22/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/22/18. Off calendar. The court determines that oral argument is not necessary, dispenses with it, vacates the hearing, takes the motion under submission and has issued a written order ruling on the motion. No appearances are required on 10/24/18.

Prior tentative ruling. The court is issuing an order taking application off calendar for applicant to correct deficiencies and renote for hearing. No appearances are required on 10/24/18.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#9.00 Cont'd hearing re: Application for payment of interim fees and/or expenses for LEA Accountancy, LLP
fr. 9/19/18

Docket 144

***** VACATED *** REASON: Per order entered on 10/22/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 10/22/18. Off calendar. The court determines that oral argument is not necessary, dispenses with it, vacates the hearing, takes the motion under submission and has issued a written order ruling on the motion. No appearances are required on 10/24/18.

Prior tentative ruling. The court is issuing an order taking application off calendar for applicant to correct deficiencies and renote for hearing. No appearances are required on 10/24/18.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#10.00 Hearing re: Debtors' objection to amended claim no. 9 and motion to estimate claim for purposes of voting and distribution

Docket 103

***** VACATED *** REASON: Cont'd from 10/24/18 to 11/7/18 at 10:00 a.m. per order entered on 10/22/18-mb.**

Tentative Ruling:

Off calendar. Continued on the court's own motion by written order to 11/7/18 at 10:00 a.m. No appearances are required on 10/24/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#11.00 Cont'd hearing re: Debtors' objection to claim no. 9 and motion to estimate claim for purposes of voting and distribution fr. 8/1/18

Docket 65

Tentative Ruling:

Updated tentative ruling as of 10/22/18. Off calendar. The matter was resolved by the court's order entered on 8/28/18. No appearances are necessary.

Prior tentative ruling. Grant debtors' motion objecting to claim in part for the reasons stated in the moving papers, but allow claimant to file an amended proof of claim. Appearances are required on 8/1/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

2:18-13300 The 17/21 Group, LLC

Chapter 11

#12.00 Hearing re: First interim application of Ramsaur Law Office, counsel to chapter 11 debtor, for compensation

Docket 42

Tentative Ruling:

Approve first interim fee application of general bankruptcy counsel for debtor in possession for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 10/24/18, but trustee and applicant may appear by telephone. Trustee or applicants to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

The 17/21 Group, LLC

Represented By
Brett Ramsaur

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#13.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/23/18, 6/27/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/23/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:00 AM

2:18-19570 Rich Honey, Inc.

Chapter 11

#14.00 Cont'd hearing re: Motion to approve use of cash collateral and adequate protection fr. 8/24/18

Docket 6

Tentative Ruling:

Updated tentative ruling as of 10/22/18. The court will treat the motion as a contested matter under FRBP 9014 and will set an evidentiary hearing on adequate protection relating to the lien of creditor Camel Financial, Inc. The court will conduct the hearing on 10/24/18 as a status conference, and counsel should prepared to discuss their availability for the evidentiary hearing, which the court estimates that it would take one hour. Appearances are required on 10/24/18, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling will be issued for the motion heard on shortened notice. Appearances are required on 8/24/18.

Party Information

Debtor(s):

Rich Honey, Inc.

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:30 AM

2:15-12558 Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel

Chapter 11

#15.00 Cont'd hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon
fr. 5/30/18

Docket 449

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/24/18, but counsel may appear by telephone.

Prior tentative ruling. Debtor should be prepared to respond to the proposed resolution of the motion set forth in Movant's reply, such as setting a deadline for filing an amended disclosure statement and plan if the property is not sold. Otherwise, no tentative ruling on the merits. Appearances are required on 5/30/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kenneth Leonard Dymmel

Represented By
Robert M Aronson

Joint Debtor(s):

Ruth Elizabeth Dymmel

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:30 AM

2:15-12558 Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel

Chapter 11

#16.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/21/18, 5/30/18, 6/27/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 9/25/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/10/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/24/17, but counsel may appear by telephone.

Updated tentative ruling as of 12/12/16. No tentative ruling on the merits. Appearances are required on 12/13/16, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:30 AM

CONT... Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel Chapter 11

Updated tentative ruling as of 10/31/16. Off calendar. The court on its own motion vacates this status conference in light of the pending proceedings regarding the amended disclosure statement for which there are separate hearings at which the status of the case is considered. No appearances are required on 11/3/16.

Updated tentative ruling as of 7/5/16. No tentative ruling in light of pendency of motion to approve disclosure statement. Appearances are required on 7/6/16, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling in light of pendency of motion to approve disclosure statement. Appearances are required on 4/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 2/22/16. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 2/24/16, but counsel may appear by telephone.

No updated tentative ruling as of 12/14/15. Appearances are required on 12/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 10/19/15. Appearances are required on 10/21/15, but counsel may appear by telephone.

No updated tentative ruling as of 9/15/15. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 6/30/15. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 7/1/15 to address status, including United States Trustee compliance issues, but counsel may appear by telephone.

Prior tentative ruling as of 4/28/15. Appearances are required on 4/29/15, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtors' status report. No tentative ruling as of 4/13/15. Appearances are required on 4/15/15 to

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

11:30 AM

CONT... **Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel** Chapter 11
address status, including United States Trustee compliance issues, but
counsel may appear by telephone.

Party Information

Debtor(s):

Kenneth Leonard Dymmel

Represented By
Robert M Aronson

Joint Debtor(s):

Ruth Elizabeth Dymmel

Represented By
Robert M Aronson

Movant(s):

Kenneth Leonard Dymmel

Represented By
Robert M Aronson

Ruth Elizabeth Dymmel

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

2:00 PM

2:18-17263 8800 LLC

Chapter 11

#17.00 Cont'd status conference re: Motion of debtor to assume lease
fr. 10/3/18, 10/9/18

Docket 67

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/24/18 to discuss the status of the matter before trial, but counsel may and should appear by telephone.

Prior tentative ruling as of 10/5/18. No tentative ruling on the merits. Appearances are required on 10/9/18 to discuss the status of the matter before trial, but counsel may appear by telephone.

Revised tentative ruling as of 10/1/18 at 6:00 p.m.:

Treat motion to assume lease as a contested matter under FRBP 9014 because there are disputed issues of material fact that may require an evidentiary hearing to resolve (including debtor's status as tenant in fact as opposed to being listed on the lease, whether landlord validly invoked the recapture provisions of the lease, whether debtor has the ability to perform the lease if assumed) and treat hearing as a status conference to schedule further pretrial and trial proceedings. See *In re Gentile Family Industries*, 2014 WL 4091001 (9th Cir. BAP 2014)(acknowledging but not deciding whether the Ninth Circuit's decision in *In re G.I. Industries, Inc.*, 204 F.3d 1276 (9th Cir. 2000), citing *In re Orion Pictures Corp.*, 4 F.3d 1095 (2nd Cir. 1993), should be broadly or narrowly construed; see also, *In re Miller*, 2016 WL 1316763 (Bankr. D. Mont. 2016)(narrowly construing *G.I. Industries* to rejection of an executory contract or lease). The court is inclined to agree with Debtor that the applicable rule is the two-step analysis for determining whether a lease may be assumed under 11 U.S.C. 365 set forth in *In re Waterkist Corp.* 775 F.2d 1089 (9th Cir. 1985) and *In re Windmill Farms, Inc.*, 841 F.2d 1467 (9th Cir. 1988). Landlord argues that *G.I. Industries*, following *Orion Pictures*, having a circumscribed view of the analysis of a motion to

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

2:00 PM

CONT... 8800 LLC

Chapter 11

assume or reject a contract applies here, but that would mean that G.I. Industries impliedly overruled the two-part rule in *Waterkist Corp.* Landlord argues that G.I. Industries governs because it is a later pronouncement by the circuit, but that may not be right because it generally takes an en banc panel decision to overrule the case precedent of a prior circuit panel and arguably, the two-part rule involves a narrow, specific issue of lease assumption rather than general issue of assumption or rejection of executory contracts, and thus, the specific takes precedence over the general. The court hesitates to reach a conclusion on whether *Waterkist* was overruled by G.I. Industries in some fashion since this has not been adequately briefed by the parties and the court's research is preliminary and incomplete. However, the state of the case law in the circuit may be in flux as shown by the BAP's unpublished decision in *Gentile Family Industries* referring both to G.I. Industries and *Windmill Farms*, but not to the two-rule rule specifically. Since the motion for the assumption of the lease is important to the parties, and perhaps decisive of debtor's reorganization prospects, it makes sense to decide the motion in a contested matter to resolve factual issues. The court understands Landlord prefers deciding the contract dispute issues in state court as indicated in its stay relief and remand motions, but it seems that the court has jurisdiction to decide such issues in a contested matter or adversary proceeding related to lease assumption. The court's approach in *In re Belasco Unlimited Corp.*, No. 2:14-bk-26546-BR Chapter 11 (Bankr. C.D. Cal., findings of fact and conclusions of law after evidentiary hearing on motion to assume lease, filed and entered on April 8, 2015) is illustrative and is consistent with the holding in *Gentile Family Industries*.

Tentative rulings on TMC Realty, Inc.'s evidentiary objections to the declaration of Alan Nathan:

- Objection #1 (page: line(s) 37:6-10): Overrule.
- Objection #2 (39:13-15): Overrule.
- Objection #3 (39:19-21): Sustain - lack of foundation.
- Objection #4 (39:25-26): Sustain - lack of foundation.
- Objection #5 (40:6-10): Sustain - improper opinion.
- Objection #6 (40:18-22): Sustain as to phrases "In contravention of the Lease" and "improperly and prematurely"- improper opinion, otherwise overrule.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 24, 2018

Hearing Room 1675

2:00 PM

CONT... 8800 LLC

Chapter 11

Objection #7 (40:25-27): Sustain - lack of foundation, improper opinion.
Objection #8 (41:15-17): Sustain - lack of foundation, improper opinion.
Objection #9 (41:26-27): Sustain - improper opinion.
Objection #10 (42:13-17): Sustain - improper opinion.
Objection #11 (43:21-23): Sustain as to phrase "and gave express consent for the Debtor to possess and operate at the Premises under the Lease" - improper opinion, otherwise overrule.
Objection #12 (44:13-16): Sustain - improper opinion.
Objection #13 (44:17-21): Sustain - improper opinion.
Objection #14 (44:22-26): Sustain - improper opinion.
Objection #15 (46:21-47:2): Sustain - improper opinion.
Objection #16 (48:14-18): Sustain as to sentence, "As set forth above, the Debtor's financial problems were precipitated, in-part, by the Landlord's demand and actions to prematurely and improperly terminate the Lease." - improper opinion. Sustain as to sentences, "However, Debtor is operating profitably. Attached as 'Exhibit 14 hereto is the Debtor's projection of income and expenses through September 30, 2023. These projections show that the Debtor can satisfy its future obligations under the Lease." - lack of foundation.

The court comments that Mr. Nathan's improper opinions are disguised arguments which are not relevant and best left to counsel in briefing and that Debtor will need to provide a factual foundation for Mr. Nathan's testimony about the preparation of the Debtor's financial projections (i.e., describing who made the projections, what data was relied upon for the projections and what reasonable assumptions were made for such projections).

Appearances are required on 10/3/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

2:18-17263 8800 LLC

Chapter 11

#1.00 TRIAL RE: Motion of debtor to assume lease
fr. 10/3/18

Docket 67

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 10/25/18.

Revised tentative ruling as of 10/1/18 at 6:00 p.m.:

Treat motion to assume lease as a contested matter under FRBP 9014 because there are disputed issues of material fact that may require an evidentiary hearing to resolve (including debtor's status as tenant in fact as opposed to being listed on the lease, whether landlord validly invoked the recapture provisions of the lease, whether debtor has the ability to perform the lease if assumed) and treat hearing as a status conference to schedule further pretrial and trial proceedings. See *In re Gentile Family Industries*, 2014 WL 4091001 (9th Cir. BAP 2014)(acknowledging but not deciding whether the Ninth Circuit's decision in *In re G.I. Industries, Inc.*, 204 F.3d 1276 (9th Cir. 2000), citing, *In re Orion Pictures Corp.*, 4 F.3d 1095 (2nd Cir. 1993), should be broadly or narrowly construed; see also, *In re Miller*, 2016 WL 1316763 (Bankr. D. Mont. 2016)(narrowly construing *G.I. Industries* to rejection of an executory contract or lease). The court is inclined to agree with Debtor that the applicable rule is the two-step analysis for determining whether a lease may be assumed under 11 U.S.C. 365 set forth in *In re Waterkist Corp.* 775 F.2d 1089 (9th Cir. 1985) and *In re Windmill Farms, Inc.*, 841 F.2d 1467 (9th Cir. 1988). Landlord argues that *G.I. Industries*, following *Orion Pictures*, having a circumscribed view of the analysis of a motion to assume or reject a contract applies here, but that would mean that *G.I. Industries* impliedly overruled the two-part rule in *Waterkist Corp.* Landlord argues that *G.I. Industries* governs because it is a later pronouncement by the circuit, but that may not be right because it generally takes an en banc panel decision to overrule the case precedent of a prior circuit panel and arguably,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

CONT...

8800 LLC

Chapter 11

the two-part rule involves a narrow, specific issue of lease assumption rather than general issue of assumption or rejection of executory contracts, and thus, the specific takes precedence over the general. The court hesitates to reach a conclusion on whether Waterkist was overruled by G.I. Industries in some fashion since this has not been adequately briefed by the parties and the court's research is preliminary and incomplete. However, the state of the case law in the circuit may be in flux as shown by the BAP's unpublished decision in Gentile Family Industries referring both to G.I. Industries and Windmill Farms, but not to the two-rule rule specifically. Since the motion for the assumption of the lease is important to the parties, and perhaps decisive of debtor's reorganization prospects, it makes sense to decide the motion in a contested matter to resolve factual issues. The court understands Landlord prefers deciding the contract dispute issues in state court as indicated in its stay relief and remand motions, but it seems that the court has jurisdiction to decide such issues in a contested matter or adversary proceeding related to lease assumption. The court's approach in In re Belasco Unlimited Corp., No. 2:14-bk-26546-BR Chapter 11 (Bankr. C.D. Cal., findings of fact and conclusions of law after evidentiary hearing on motion to assume lease, filed and entered on April 8, 2015) is illustrative and is consistent with the holding in Gentile Family Industries.

Tentative rulings on TMC Realty, Inc.'s evidentiary objections to the declaration of Alan Nathan:

- Objection #1 (page: line(s) 37:6-10): Overrule.
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- Objection #5 (40:6-10): Sustain - improper opinion.
- Objection #6 (40:18-22): Sustain as to phrases "In contravention of the Lease" and "improperly and prematurely"- improper opinion, otherwise overrule.
- Objection #7 (40:25-27): Sustain - lack of foundation, improper opinion.
- Objection #8 (41:15-17): Sustain - lack of foundation, improper opinion.
- Objection #9 (41:26-27): Sustain - improper opinion.
- Objection #10 (42:13-17): Sustain - improper opinion.
- Objection #11 (43:21-23): Sustain as to phrase "and gave express consent

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

CONT... 8800 LLC

Chapter 11

for the Debtor to possess and operate at the Premises under the Lease" - improper opinion, otherwise overrule.

Objection #12 (44:13-16): Sustain - improper opinion.

Objection #13 (44:17-21): Sustain - improper opinion.

Objection #14 (44:22-26): Sustain - improper opinion.

Objection #15 (46:21-47:2): Sustain - improper opinion.

Objection #16 (48:14-18): Sustain as to sentence, "As set forth above, the Debtor's financial problems were precipitated, in-part, by the Landlord's demand and actions to prematurely and improperly terminate the Lease." - improper opinion. Sustain as to sentences, "However, Debtor is operating profitably. Attached as 'Exhibit 14 hereto is the Debtor's projection of income and expenses through September 30, 2023. These projections show that the Debtor can satisfy its future obligations under the Lease." - lack of foundation.

The court comments that Mr. Nathan's improper opinions are disguised arguments which are not relevant and best left to counsel in briefing and that Debtor will need to provide a factual foundation for Mr. Nathan's testimony about the preparation of the Debtor's financial projections (i.e., describing who made the projections, what data was relied upon for the projections and what reasonable assumptions were made for such projections).

Appearances are required on 10/3/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

2:18-17263 8800 LLC

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/22/18, 9/11/18, 10/3/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits.
Appearances are required on 10/25/18, but counsel may appear by
telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/10/18. No tentative ruling on the merits.
Appearances are required on 9/12/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 8/22/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

2:18-17263 8800 LLC

Chapter 11

Adv#: 2:18-01237 TMC Realty, LLC v. 8800 Sunset LLC et al

#3.00 Cont'd status conference re: Removal Of Civil Action Under 28 U.S.C. § 1452(a)
fr. 8/28/18, 9/11/18, 10/3/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits.
Appearances are required on 10/25/18, but counsel may appear by
telephone.

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

No tentative ruling as of 9/10/18. Appearances are required on 9/11/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

Defendant(s):

8800 Sunset LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

8800 LLC

Represented By
Jeffrey S Kwong
Martin J Brill
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

CONT... 8800 LLC

Chapter 11

Plaintiff(s):

TMC Realty, LLC

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

2:18-17263 8800 LLC

Chapter 11

#4.00 Cont'd hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)
fr. 8/7/18, 9/11/18, 10/3/18

8800 Sunset Boulevard
West Hollywood, California 90069
Ground Floor Restaurant Space and Adjacent Patio (aka Estrella)

Docket 35

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling.

The courts in the Ninth Circuit have identified various factors relevant to determining whether the automatic stay should be lifted to allow a creditor to continue pending litigation in a non-bankruptcy forum pursuant to 11 U.S.C. § 362(d)(1). *In re Plumberex Specialty Products, Inc.*, 311 B.R. 551, 557-561 (Bankr. C.D. Cal. 2004), *citing inter alia*, *In re Curtis*, 40 B.R. 795, 799-800 (Bankr. D. Utah 1984). As stated by the court in *Plumberex*, these factors are closely related to those that a bankruptcy court must consider in deciding to exercise permissive abstention under 28 U.S.C. §1334(c)(1). 311 B.R. at 558 and n. 13, *citing inter alia*, *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1167 (9th Cir. 1990). The twelve permissive abstention/stay relief factors set forth by the Ninth Circuit in *Tucson Estates* which this court normally considers are:

1. The effect or lack thereof on the efficient administration of the estate if a court recommends remand. This factor does not favor stay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

CONT...

8800 LLC

Chapter 11

relief. Debtor's lease is one of the primary assets of its estate, and the leased premises are Debtor's principal place of business where most of its assets are located. Debtor intends to file a motion to assume the lease under 11 U.S.C. §365, which will have a major impact on Debtor's prospects for reorganization in this case, and in order for the court to determine the lease assumption motion, the court will have to make the determinations of the not yet judicially determined issues of state law of the validity of the lease termination by Landlord and any claim of relief from lease forfeiture by Debtor, which are intertwined with the lease assumption motion issues. *In re Art and Architecture Books of the 21st Century*, No. 2:13-bk-14135-RK Chapter 11 (Bankr. C.D. Cal., statement of decision filed on April 15, 2013), *citing, In re Turbowind, Inc.*, 42 B.R. 579, 583 (Bankr. S.D. Cal. 1984). This bankruptcy court has authority to decide the state law issues of validity of lease termination and lease forfeiture relief. *Id.*, *citing, In re Windmill Farms, Inc.*, 841 F.2d 1467, 1468-1474 (9th Cir. 1988); *see also, Matter of Escondido West Travelodge*, 52 B.R. 376, 382 (S.D. Cal. 1985). The Landlord's unlawful detainer action for which stay relief is sought concerns the estate's leasehold interest, and Debtor's ability to assume the lease and continue its business operations would be affected by the outcome of that action.

2. The extent to which state law issues predominate over bankruptcy issues. This factor favors stay relief because the removed unlawful detainer action of Landlord was initially filed in state court and is based on a state law claim, though Debtor plans to litigate bankruptcy claims under to 11 U.S.C. §§ 365, 541, 547 and 548 related to Landlord's state law claim.

3. The difficulty or unsettled nature of the applicable law. This factor is neutral because the Landlord's unlawful detainer action does not involve law which is difficult or unsettled in nature.

4. The presence of a related proceeding commenced in state court or other non-bankruptcy court. This factor favors stay relief because Landlord's unlawful detainer action was filed in state court and a trial date was set in that action, though the court notes Debtor's argument that there are no longer proceedings in state court due to the removal. *Security Farms v. International Brotherhood of Teamsters, etc.*, 124 F.3d 999, 1010 (9th Cir.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

CONT... 8800 LLC
1997).

Chapter 11

5. The jurisdictional basis, if any, other than 28 U.S.C. § 1334. This factor favors stay relief because Landlord's unlawful detainer is noncore. The Ninth Circuit observed that if a proceeding does not invoke a substantive right created by federal bankruptcy law and if it could exist outside of bankruptcy, it is noncore. *In re Eastport Associates*, 935 F.2d 1071, 1076 (9th Cir. 1991). (Landlord has not filed a proof of claim which would be a core proceeding relating to the same substantive claim. *In re Thorpe Insulation Co.*, 671 F.3d 1011, 1021 (9th Cir. 2012). *See also, Schultze v. Chandler*, 765 F.3d 945, 950-951 (9th Cir. 2014)(state law claim against estate professional arising in case under Bankruptcy Code was core proceeding)). Landlord's unlawful detainer action could exist outside of bankruptcy, and are thus noncore, and thus, the court exercises only its "related to" jurisdiction under 28 U.S.C. § 1334 to determine Debtor's motion to assume the lease pursuant to 11 U.S.C. § 365 and its claims pursuant to 11 U.S.C. §§ 541, 547 and 548.

6. The degree of relatedness or remoteness of the proceeding to the main bankruptcy case. This factor does not favor stay relief because if Debtor is not able to assume the lease, Debtor will not be able to reorganize.

7. The substance rather than form of an asserted "core" proceeding. This factor favors stay relief. Landlord's unlawful detainer action as stated above is noncore. However, as also noted above, the outcome of the unlawful detainer action which is related to the lease will have substantial impact on the outcome of Debtor's efforts to reorganize in this Chapter 11 bankruptcy case.

8. The feasibility of severing state law claims from core bankruptcy matters to allow judgments to be entered in state court with enforcement left to the bankruptcy court. This factor does not favor stay relief because the unlawful detainer action and the bankruptcy law matter of lease assumption are interrelated.

9. The burden on the bankruptcy court's docket. This factor is neutral.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

CONT... 8800 LLC

Chapter 11

10. The likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties. This factor favors stay relief because arguably, Debtor is engaging in forum shopping because that it removed the unlawful detainer action to this court after a trial was set in state court in that action.

11. The existence of a right to a jury trial. This factor does not favor stay relief. Landlord does not have a right to jury trial on its unlawful detainer action or on Debtor's intended lease assumption motion.

12. The presence in the proceeding of nondebtor parties. This factor does not favor stay relief since Debtor and Landlord are the only parties involved in these actions.

In weighing the various stay relief factors, the court is inclined to deny the remand motions under the circumstances of this case because the resolution of the unlawful detainer action will substantially impact Debtor's ability to effectively reorganize and that litigation of the removed action and related bankruptcy claims of lease assumption and transfer avoidance can and should be litigated in a single forum to effectuate the purposes of the Bankruptcy Code which include "[c]entralization of disputes concerning a debtor's legal obligations" and "protecting creditors and reorganizing debtors from piecemeal litigation." *In re Thorpe Insulation Co.*, 671 F.3d at 1022-1023.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

2:18-17263 8800 LLC

Chapter 11

#5.00 Cont'd hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)
fr. 8/7/18, 9/11/18, 10/3/18

TMC Realty, LLC v. 8800 Sunset, LLC and 8800 LLC
LASC Case Number SC129282

Docket 34

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling.

The courts in the Ninth Circuit have identified various factors relevant to determining whether the automatic stay should be lifted to allow a creditor to continue pending litigation in a non-bankruptcy forum pursuant to 11 U.S.C. § 362(d)(1). *In re Plumberex Specialty Products, Inc.*, 311 B.R. 551, 557-561 (Bankr. C.D. Cal. 2004), *citing inter alia*, *In re Curtis*, 40 B.R. 795, 799-800 (Bankr. D. Utah 1984). As stated by the court in *Plumberex*, these factors are closely related to those that a bankruptcy court must consider in deciding to exercise permissive abstention under 28 U.S.C. §1334(c)(1). 311 B.R. at 558 and n. 13, *citing inter alia*, *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1167 (9th Cir. 1990). The twelve permissive abstention/stay relief factors set forth by the Ninth Circuit in *Tucson Estates* which this court normally considers are:

1. The effect or lack thereof on the efficient administration of the estate if a court recommends remand. This factor does not favor stay relief. Debtor's lease is one of the primary assets of its estate, and the leased

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

CONT...

8800 LLC

Chapter 11

premises are Debtor's principal place of business where most of its assets are located. Debtor intends to file a motion to assume the lease under 11 U.S.C. §365, which will have a major impact on Debtor's prospects for reorganization in this case, and in order for the court to determine the lease assumption motion, the court will have to make the determinations of the not yet judicially determined issues of state law of the validity of the lease termination by Landlord and any claim of relief from lease forfeiture by Debtor, which are intertwined with the lease assumption motion issues. *In re Art and Architecture Books of the 21st Century*, No. 2:13-bk-14135-RK Chapter 11 (Bankr. C.D. Cal., statement of decision filed on April 15, 2013), *citing, In re Turbowind, Inc.*, 42 B.R. 579, 583 (Bankr. S.D. Cal. 1984). This bankruptcy court has authority to decide the state law issues of validity of lease termination and lease forfeiture relief. *Id.*, *citing, In re Windmill Farms, Inc.*, 841 F.2d 1467, 1468-1474 (9th Cir. 1988); *see also, Matter of Escondido West Travelodge*, 52 B.R. 376, 382 (S.D. Cal. 1985). Debtor's breach of lease action for which stay relief is sought concerns the estate's leasehold interest, and Debtor's ability to assume the lease and continue its business operations would be affected by the outcome of that action.

- 2. The extent to which state law issues predominate over bankruptcy issues.** This factor favors stay relief because the removed breach of lease action of Debtor was initially filed in state court and is based on a state law claim, though Debtor plans to litigate bankruptcy claims under to 11 U.S.C. §§ 365, 541, 547 and 548 related to the lease.
- 3. The difficulty or unsettled nature of the applicable law.** This factor is neutral because Debtor's breach of lease action does not involve law which is difficult or unsettled in nature.
- 4. The presence of a related proceeding commenced in state court or other non-bankruptcy court.** This factor favors stay relief because Debtor's breach of lease was filed in state court, though the court notes Debtor's argument that there are no longer proceedings in state court due to the removal. *Security Farms v. International Brotherhood of Teamsters, etc.*, 124 F.3d 999, 1010 (9th Cir. 1997).
- 5. The jurisdictional basis, if any, other than 28 U.S.C. § 1334.** This

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

CONT...

8800 LLC

Chapter 11

factor favors stay relief because Debtor's breach of lease claims are noncore. The Ninth Circuit observed that if a proceeding does not invoke a substantive right created by federal bankruptcy law and if it could exist outside of bankruptcy, it is noncore. *In re Eastport Associates*, 935 F.2d 1071, 1076 (9th Cir. 1991). See also, *Schultze v. Chandler*, 765 F.3d 945, 950-951 (9th Cir. 2014)(state law claim against estate professional arising in case under Bankruptcy Code was core proceeding)). Debtor's breach of lease action could exist outside of bankruptcy, and are thus noncore, and thus, the court exercises only its "related to" jurisdiction under 28 U.S.C. §1334 to determine Debtor's motion to assume the lease pursuant to 11 U.S.C. § 365 and its claims pursuant to 11 U.S.C. §§ 541, 547 and 548.

6. The degree of relatedness or remoteness of the proceeding to the main bankruptcy case. This factor does not favor stay relief because if Debtor's claims are related to its intended motion to assume the lease, without which it will not be able to reorganize.

7. The substance rather than form of an asserted "core" proceeding. This factor favors stay relief. Debtor's breach of lease action as stated above is noncore. However, as also noted above, the outcome of this action which is related to the lease may have substantial impact on the outcome of Debtor's efforts to reorganize in this Chapter 11 bankruptcy case.

8. The feasibility of severing state law claims from core bankruptcy matters to allow judgments to be entered in state court with enforcement left to the bankruptcy court. This factor does not favor stay relief because Debtor's breach of lease action and the bankruptcy law matter of lease assumption appear to be interrelated.

9. The burden on the bankruptcy court's docket. This factor is neutral.

10. The likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties. This factor favors stay relief because arguably, Debtor is engaging in forum shopping because that it removed the breach of lease action to this court after a trial in Landlord's related unlawful detainer action was set in state

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, October 25, 2018

Hearing Room 1675

9:00 AM

CONT... 8800 LLC
court.

Chapter 11

11. The existence of a right to a jury trial. This factor favors stay relief. Landlord probably has a right to a jury trial on Debtor's breach of lease action against it, though Landlord can exercise any rights to a jury trial in that action pursuant to Fed. R. Bankr. P. 9015 and Fed. R. Civ. P. 38(b).

12. The presence in the proceeding of nondebtor parties. This factor does not favor stay relief since Debtor and Landlord are the only parties involved in the removed action.

In weighing the various stay relief factors, the court is inclined to deny the remand motions under the circumstances of this case because the resolution of Debtor's breach of lease claims may substantially impact Debtor's ability to effectively reorganize because it is related to its bankruptcy claims of lease assumption and transfer avoidance can and should be litigated in a single forum to effectuate the purposes of the Bankruptcy Code which include "[c]entralization of disputes concerning a debtor's legal obligations" and "protecting creditors and reorganizing debtors from piecemeal litigation." *In re Thorpe Insulation Co.*, 671 F.3d 1011, 1022-1023 (9th Cir. 2012).

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 26, 2018

Hearing Room 1675

9:00 AM

2:18-17263 8800 LLC

Chapter 11

#1.00 CONT'D TRIAL RE: Motion of debtor to assume lease
fr. 10/3/18, 10/26/18

Docket 67

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 10/26/18 if the hearing is not concluded on 10/25/18.

Revised tentative ruling as of 10/1/18 at 6:00 p.m.:

Treat motion to assume lease as a contested matter under FRBP 9014 because there are disputed issues of material fact that may require an evidentiary hearing to resolve (including debtor's status as tenant in fact as opposed to being listed on the lease, whether landlord validly invoked the recapture provisions of the lease, whether debtor has the ability to perform the lease if assumed) and treat hearing as a status conference to schedule further pretrial and trial proceedings. See *In re Gentile Family Industries*, 2014 WL 4091001 (9th Cir. BAP 2014)(acknowledging but not deciding whether the Ninth Circuit's decision in *In re G.I. Industries, Inc.*, 204 F.3d 1276 (9th Cir. 2000), citing, *In re Orion Pictures Corp.*, 4 F.3d 1095 (2nd Cir. 1993), should be broadly or narrowly construed; see also, *In re Miller*, 2016 WL 1316763 (Bankr. D. Mont. 2016)(narrowly construing *G.I. Industries* to rejection of an executory contract or lease). The court is inclined to agree with Debtor that the applicable rule is the two-step analysis for determining whether a lease may be assumed under 11 U.S.C. 365 set forth in *In re Waterkist Corp.* 775 F.2d 1089 (9th Cir. 1985) and *In re Windmill Farms, Inc.*, 841 F.2d 1467 (9th Cir. 1988). Landlord argues that *G.I. Industries*, following *Orion Pictures*, having a circumscribed view of the analysis of a motion to assume or reject a contract applies here, but that would mean that *G.I. Industries* impliedly overruled the two-part rule in *Waterkist Corp.* Landlord argues that *G.I. Industries* governs because it is a later pronouncement by the circuit, but that may not be right because it generally takes an en banc panel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 26, 2018

Hearing Room 1675

9:00 AM

CONT...

8800 LLC

Chapter 11

decision to overrule the case precedent of a prior circuit panel and arguably, the two-part rule involves a narrow, specific issue of lease assumption rather than general issue of assumption or rejection of executory contracts, and thus, the specific takes precedence over the general. The court hesitates to reach a conclusion on whether Waterkist was overruled by G.I. Industries in some fashion since this has not been adequately briefed by the parties and the court's research is preliminary and incomplete. However, the state of the case law in the circuit may be in flux as shown by the BAP's unpublished decision in Gentile Family Industries referring both to G.I. Industries and Windmill Farms, but not to the two-rule rule specifically. Since the motion for the assumption of the lease is important to the parties, and perhaps decisive of debtor's reorganization prospects, it makes sense to decide the motion in a contested matter to resolve factual issues. The court understands Landlord prefers deciding the contract dispute issues in state court as indicated in its stay relief and remand motions, but it seems that the court has jurisdiction to decide such issues in a contested matter or adversary proceeding related to lease assumption. The court's approach in *In re Belasco Unlimited Corp.*, No. 2:14-bk-26546-BR Chapter 11 (Bankr. C.D. Cal., findings of fact and conclusions of law after evidentiary hearing on motion to assume lease, filed and entered on April 8, 2015) is illustrative and is consistent with the holding in *Gentile Family Industries*.

Tentative rulings on TMC Realty, Inc.'s evidentiary objections to the declaration of Alan Nathan:

Objection #1 (page: line(s) 37:6-10): Overrule.

Objection #2 (39:13-15): Overrule.

Objection #3 (39:19-21): Sustain - lack of foundation.

Objection #4 (39:25-26): Sustain - lack of foundation.

Objection #5 (40:6-10): Sustain - improper opinion.

Objection #6 (40:18-22): Sustain as to phrases "In contravention of the Lease" and "improperly and prematurely"- improper opinion, otherwise overrule.

Objection #7 (40:25-27): Sustain - lack of foundation, improper opinion.

Objection #8 (41:15-17): Sustain - lack of foundation, improper opinion.

Objection #9 (41:26-27): Sustain - improper opinion.

Objection #10 (42:13-17): Sustain - improper opinion.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 26, 2018

Hearing Room 1675

9:00 AM

CONT... 8800 LLC

Chapter 11

Objection #11 (43:21-23): Sustain as to phrase "and gave express consent for the Debtor to possess and operate at the Premises under the Lease" - improper opinion, otherwise overrule.

Objection #12 (44:13-16): Sustain - improper opinion.

Objection #13 (44:17-21): Sustain - improper opinion.

Objection #14 (44:22-26): Sustain - improper opinion.

Objection #15 (46:21-47:2): Sustain - improper opinion.

Objection #16 (48:14-18): Sustain as to sentence, "As set forth above, the Debtor's financial problems were precipitated, in-part, by the Landlord's demand and actions to prematurely and improperly terminate the Lease." - improper opinion. Sustain as to sentences, "However, Debtor is operating profitably. Attached as 'Exhibit 14 hereto is the Debtor's projection of income and expenses through September 30, 2023. These projections show that the Debtor can satisfy its future obligations under the Lease." - lack of foundation.

The court comments that Mr. Nathan's improper opinions are disguised arguments which are not relevant and best left to counsel in briefing and that Debtor will need to provide a factual foundation for Mr. Nathan's testimony about the preparation of the Debtor's financial projections (i.e., describing who made the projections, what data was relied upon for the projections and what reasonable assumptions were made for such projections).

Appearances are required on 10/3/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong
Martin J Brill

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 26, 2018

Hearing Room 1675

9:00 AM

2:18-17263 8800 LLC

Chapter 11

#2.00 Cont'd hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)
fr. 9/11/18, 10/3/18, 10/25/18

8800 Sunset Boulevard
West Hollywood, California 90069
Ground Floor Restaurant Space and Adjacent Patio (aka Estrella)

Docket 35

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/26/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling.

The courts in the Ninth Circuit have identified various factors relevant to determining whether the automatic stay should be lifted to allow a creditor to continue pending litigation in a non-bankruptcy forum pursuant to 11 U.S.C. § 362(d)(1). *In re Plumberex Specialty Products, Inc.*, 311 B.R. 551, 557-561 (Bankr. C.D. Cal. 2004), *citing inter alia*, *In re Curtis*, 40 B.R. 795, 799-800 (Bankr. D. Utah 1984). As stated by the court in *Plumberex*, these factors are closely related to those that a bankruptcy court must consider in deciding to exercise permissive abstention under 28 U.S.C. §1334(c)(1). 311 B.R. at 558 and n. 13, *citing inter alia*, *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1167 (9th Cir. 1990). The twelve permissive abstention/stay relief factors set forth by the Ninth Circuit in *Tucson Estates* which this court normally considers are:

1. The effect or lack thereof on the efficient administration of the estate if a court recommends remand. This factor does not favor stay

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 26, 2018

Hearing Room 1675

9:00 AM

CONT...

8800 LLC

Chapter 11

relief. Debtor's lease is one of the primary assets of its estate, and the leased premises are Debtor's principal place of business where most of its assets are located. Debtor intends to file a motion to assume the lease under 11 U.S.C. §365, which will have a major impact on Debtor's prospects for reorganization in this case, and in order for the court to determine the lease assumption motion, the court will have to make the determinations of the not yet judicially determined issues of state law of the validity of the lease termination by Landlord and any claim of relief from lease forfeiture by Debtor, which are intertwined with the lease assumption motion issues. *In re Art and Architecture Books of the 21st Century*, No. 2:13-bk-14135-RK Chapter 11 (Bankr. C.D. Cal., statement of decision filed on April 15, 2013), *citing, In re Turbowind, Inc.*, 42 B.R. 579, 583 (Bankr. S.D. Cal. 1984). This bankruptcy court has authority to decide the state law issues of validity of lease termination and lease forfeiture relief. *Id.*, *citing, In re Windmill Farms, Inc.*, 841 F.2d 1467, 1468-1474 (9th Cir. 1988); *see also, Matter of Escondido West Travelodge*, 52 B.R. 376, 382 (S.D. Cal. 1985). The Landlord's unlawful detainer action for which stay relief is sought concerns the estate's leasehold interest, and Debtor's ability to assume the lease and continue its business operations would be affected by the outcome of that action.

2. The extent to which state law issues predominate over bankruptcy issues. This factor favors stay relief because the removed unlawful detainer action of Landlord was initially filed in state court and is based on a state law claim, though Debtor plans to litigate bankruptcy claims under to 11 U.S.C. §§ 365, 541, 547 and 548 related to Landlord's state law claim.

3. The difficulty or unsettled nature of the applicable law. This factor is neutral because the Landlord's unlawful detainer action does not involve law which is difficult or unsettled in nature.

4. The presence of a related proceeding commenced in state court or other non-bankruptcy court. This factor favors stay relief because Landlord's unlawful detainer action was filed in state court and a trial date was set in that action, though the court notes Debtor's argument that there are no longer proceedings in state court due to the removal. *Security Farms v. International Brotherhood of Teamsters, etc.*, 124 F.3d 999, 1010 (9th Cir.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 26, 2018

Hearing Room 1675

9:00 AM

CONT... 8800 LLC
1997).

Chapter 11

5. The jurisdictional basis, if any, other than 28 U.S.C. § 1334. This factor favors stay relief because Landlord's unlawful detainer is noncore. The Ninth Circuit observed that if a proceeding does not invoke a substantive right created by federal bankruptcy law and if it could exist outside of bankruptcy, it is noncore. *In re Eastport Associates*, 935 F.2d 1071, 1076 (9th Cir. 1991). (Landlord has not filed a proof of claim which would be a core proceeding relating to the same substantive claim. *In re Thorpe Insulation Co.*, 671 F.3d 1011, 1021 (9th Cir. 2012). *See also, Schultze v. Chandler*, 765 F.3d 945, 950-951 (9th Cir. 2014)(state law claim against estate professional arising in case under Bankruptcy Code was core proceeding)). Landlord's unlawful detainer action could exist outside of bankruptcy, and are thus noncore, and thus, the court exercises only its "related to" jurisdiction under 28 U.S.C. § 1334 to determine Debtor's motion to assume the lease pursuant to 11 U.S.C. § 365 and its claims pursuant to 11 U.S.C. §§ 541, 547 and 548.

6. The degree of relatedness or remoteness of the proceeding to the main bankruptcy case. This factor does not favor stay relief because if Debtor is not able to assume the lease, Debtor will not be able to reorganize.

7. The substance rather than form of an asserted "core" proceeding. This factor favors stay relief. Landlord's unlawful detainer action as stated above is noncore. However, as also noted above, the outcome of the unlawful detainer action which is related to the lease will have substantial impact on the outcome of Debtor's efforts to reorganize in this Chapter 11 bankruptcy case.

8. The feasibility of severing state law claims from core bankruptcy matters to allow judgments to be entered in state court with enforcement left to the bankruptcy court. This factor does not favor stay relief because the unlawful detainer action and the bankruptcy law matter of lease assumption are interrelated.

9. The burden on the bankruptcy court's docket. This factor is neutral.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 26, 2018

Hearing Room 1675

9:00 AM

CONT... 8800 LLC

Chapter 11

10. The likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties. This factor favors stay relief because arguably, Debtor is engaging in forum shopping because that it removed the unlawful detainer action to this court after a trial was set in state court in that action.

11. The existence of a right to a jury trial. This factor does not favor stay relief. Landlord does not have a right to jury trial on its unlawful detainer action or on Debtor's intended lease assumption motion.

12. The presence in the proceeding of nondebtor parties. This factor does not favor stay relief since Debtor and Landlord are the only parties involved in these actions.

In weighing the various stay relief factors, the court is inclined to deny the remand motions under the circumstances of this case because the resolution of the unlawful detainer action will substantially impact Debtor's ability to effectively reorganize and that litigation of the removed action and related bankruptcy claims of lease assumption and transfer avoidance can and should be litigated in a single forum to effectuate the purposes of the Bankruptcy Code which include "[c]entralization of disputes concerning a debtor's legal obligations" and "protecting creditors and reorganizing debtors from piecemeal litigation." *In re Thorpe Insulation Co.*, 671 F.3d at 1022-1023.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 26, 2018

Hearing Room 1675

9:00 AM

2:18-17263 8800 LLC

Chapter 11

#3.00 Cont'd hearing re: Motion for relief from stay
(TMC Realty, LLC VS Debtor)
fr. 9/11/18, 10/3/18, 10/25/18

TMC Realty, LLC v. 8800 Sunset, LLC and 8800 LLC
LASC Case Number SC129282

Docket 34

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/26/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling.

The courts in the Ninth Circuit have identified various factors relevant to determining whether the automatic stay should be lifted to allow a creditor to continue pending litigation in a non-bankruptcy forum pursuant to 11 U.S.C. § 362(d)(1). *In re Plumberex Specialty Products, Inc.*, 311 B.R. 551, 557-561 (Bankr. C.D. Cal. 2004), *citing inter alia*, *In re Curtis*, 40 B.R. 795, 799-800 (Bankr. D. Utah 1984). As stated by the court in *Plumberex*, these factors are closely related to those that a bankruptcy court must consider in deciding to exercise permissive abstention under 28 U.S.C. §1334(c)(1). 311 B.R. at 558 and n. 13, *citing inter alia*, *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1167 (9th Cir. 1990). The twelve permissive abstention/stay relief factors set forth by the Ninth Circuit in *Tucson Estates* which this court normally considers are:

1. The effect or lack thereof on the efficient administration of the estate if a court recommends remand. This factor does not favor stay relief. Debtor's lease is one of the primary assets of its estate, and the leased

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 26, 2018

Hearing Room 1675

9:00 AM

CONT...

8800 LLC

Chapter 11

premises are Debtor's principal place of business where most of its assets are located. Debtor intends to file a motion to assume the lease under 11 U.S.C. §365, which will have a major impact on Debtor's prospects for reorganization in this case, and in order for the court to determine the lease assumption motion, the court will have to make the determinations of the not yet judicially determined issues of state law of the validity of the lease termination by Landlord and any claim of relief from lease forfeiture by Debtor, which are intertwined with the lease assumption motion issues. *In re Art and Architecture Books of the 21st Century*, No. 2:13-bk-14135-RK Chapter 11 (Bankr. C.D. Cal., statement of decision filed on April 15, 2013), *citing, In re Turbowind, Inc.*, 42 B.R. 579, 583 (Bankr. S.D. Cal. 1984). This bankruptcy court has authority to decide the state law issues of validity of lease termination and lease forfeiture relief. *Id.*, *citing, In re Windmill Farms, Inc.*, 841 F.2d 1467, 1468-1474 (9th Cir. 1988); *see also, Matter of Escondido West Travelodge*, 52 B.R. 376, 382 (S.D. Cal. 1985). Debtor's breach of lease action for which stay relief is sought concerns the estate's leasehold interest, and Debtor's ability to assume the lease and continue its business operations would be affected by the outcome of that action.

- 2. The extent to which state law issues predominate over bankruptcy issues.** This factor favors stay relief because the removed breach of lease action of Debtor was initially filed in state court and is based on a state law claim, though Debtor plans to litigate bankruptcy claims under to 11 U.S.C. §§ 365, 541, 547 and 548 related to the lease.
- 3. The difficulty or unsettled nature of the applicable law.** This factor is neutral because Debtor's breach of lease action does not involve law which is difficult or unsettled in nature.
- 4. The presence of a related proceeding commenced in state court or other non-bankruptcy court.** This factor favors stay relief because Debtor's breach of lease was filed in state court, though the court notes Debtor's argument that there are no longer proceedings in state court due to the removal. *Security Farms v. International Brotherhood of Teamsters, etc.*, 124 F.3d 999, 1010 (9th Cir. 1997).
- 5. The jurisdictional basis, if any, other than 28 U.S.C. § 1334.** This

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 26, 2018

Hearing Room 1675

9:00 AM

CONT...

8800 LLC

Chapter 11

factor favors stay relief because Debtor's breach of lease claims are noncore. The Ninth Circuit observed that if a proceeding does not invoke a substantive right created by federal bankruptcy law and if it could exist outside of bankruptcy, it is noncore. *In re Eastport Associates*, 935 F.2d 1071, 1076 (9th Cir. 1991). See also, *Schultze v. Chandler*, 765 F.3d 945, 950-951 (9th Cir. 2014)(state law claim against estate professional arising in case under Bankruptcy Code was core proceeding)). Debtor's breach of lease action could exist outside of bankruptcy, and are thus noncore, and thus, the court exercises only its "related to" jurisdiction under 28 U.S.C. §1334 to determine Debtor's motion to assume the lease pursuant to 11 U.S.C. § 365 and its claims pursuant to 11 U.S.C. §§ 541, 547 and 548.

6. The degree of relatedness or remoteness of the proceeding to the main bankruptcy case. This factor does not favor stay relief because if Debtor's claims are related to its intended motion to assume the lease, without which it will not be able to reorganize.

7. The substance rather than form of an asserted "core" proceeding. This factor favors stay relief. Debtor's breach of lease action as stated above is noncore. However, as also noted above, the outcome of this action which is related to the lease may have substantial impact on the outcome of Debtor's efforts to reorganize in this Chapter 11 bankruptcy case.

8. The feasibility of severing state law claims from core bankruptcy matters to allow judgments to be entered in state court with enforcement left to the bankruptcy court. This factor does not favor stay relief because Debtor's breach of lease action and the bankruptcy law matter of lease assumption appear to be interrelated.

9. The burden on the bankruptcy court's docket. This factor is neutral.

10. The likelihood that the commencement of the proceeding in bankruptcy court involves forum shopping by one of the parties. This factor favors stay relief because arguably, Debtor is engaging in forum shopping because that it removed the breach of lease action to this court after a trial in Landlord's related unlawful detainer action was set in state

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 26, 2018

Hearing Room 1675

9:00 AM

CONT... 8800 LLC
court.

Chapter 11

11. The existence of a right to a jury trial. This factor favors stay relief. Landlord probably has a right to a jury trial on Debtor's breach of lease action against it, though Landlord can exercise any rights to a jury trial in that action pursuant to Fed. R. Bankr. P. 9015 and Fed. R. Civ. P. 38(b).

12. The presence in the proceeding of nondebtor parties. This factor does not favor stay relief since Debtor and Landlord are the only parties involved in the removed action.

In weighing the various stay relief factors, the court is inclined to deny the remand motions under the circumstances of this case because the resolution of Debtor's breach of lease claims may substantially impact Debtor's ability to effectively reorganize because it is related to its bankruptcy claims of lease assumption and transfer avoidance can and should be litigated in a single forum to effectuate the purposes of the Bankruptcy Code which include "[c]entralization of disputes concerning a debtor's legal obligations" and "protecting creditors and reorganizing debtors from piecemeal litigation." *In re Thorpe Insulation Co.*, 671 F.3d 1011, 1022-1023 (9th Cir. 2012).

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik
Jeffrey S Kwong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, October 26, 2018

Hearing Room 1675

9:00 AM

2:18-17263 8800 LLC

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 9/11/18, 10/3/18, 10/25/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/22/18. No tentative ruling on the merits.
Appearances are required on 10/26/18, but counsel may appear by
telephone.

Updated tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/10/18. No tentative ruling on the merits.
Appearances are required on 9/12/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 8/22/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

8800 LLC

Represented By
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 31, 2018

Hearing Room 1675

9:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#1.00 TRIAL RE: Motion for relief from stay
(US Bank National Association VS Debtor)
fr. 6/19/18, 8/22/18, 9/19/18

Docket 30

Tentative Ruling:

Updated tentative ruling as of 10/29/18. Although the court has not received evidence for the hearing on the creditor's stay relief motion, the court has reviewed the papers submitted by the parties, including the trial declarations of the witnesses called by the parties. Tentatively, the court is of the opinion that the stay relief motion should be denied because there is a sufficient equity cushion over 20% based on valuation of movant's appraiser at \$1.1 million (or \$1.4 million of debtor's appraiser) and movant's secured claim of roughly \$800,000, so that movant is adequately protected. In re Mellor, 734 F.2d 1396 (9th Cir. 1984). The court does not see this as a bad faith case and does not believe that In re Walter, 108 B.R. 244 (Bankr. C.D. Cal. 1989) controls or is persuasive under the facts of this case. Debtor was victimized by its manager who defrauded debtor and converted debtor's assets of rent income and equity from the subject real property as determined by the state court, and debtor now wants to realize value from the remaining equity to pay creditors and itself, which does not indicate bad faith. The fact that debtor could not post appellate bond from the adverse decision of the state court on its claim against movant is not dispositive. However, having said this, debtor must pay off the movant's lien because movant has a secured claim despite debtor's characterization of movant not being its creditor, which characterization is besides the point as shown by the state court's dismissal of debtor's case against movant with prejudice. It appears that debtor will be able to produce some evidence that its plan could be confirmed by a reasonable bankruptcy judge to warrant denial of stay relief. In re Bonner Mall Partnership, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). However, this would be for debtor to sell the real property to realize value to pay creditors, given the valuation opinions of the parties' appraisers, but not through the income of debtor from renting the subject property or from capital infusions from its insider, for which there is insufficient substantiation (debtor's evidence of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 31, 2018

Hearing Room 1675

9:00 AM

CONT... Raesi Group, Inc

Chapter 11

outside resources to fund a plan is not credible). Thus, the court would be inclined to deny stay relief in order for debtor to promptly market and sell the property through a plan or in a sale under 11 U.S.C. 363. Appearances are required on 10/31/18.

Prior tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/19/19, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. The court has reviewed the supplemental pleading filed by movant with the state court's order in debtor's quiet title action, sustaining the demurrers, but with leave to amend. The court is inclined to continue the hearing on the stay relief motion with consent of movant or deny the motion without prejudice, pending the state court's sua sponte motion to dismiss the quiet title action set for hearing on 10/3/18 at 9:30 a.m. The hearing on the stay relief motion will be continued to after the state court hearing on the motion to dismiss with movant's consent or denied without prejudice. Alternatively, the court can set an evidentiary hearing on this contested matter regarding movant's stay relief claims. Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because there are disputed material issues of fact regarding whether cause is shown for lack of adequate protection and lack of good faith since movant has not met its burden of proof regarding debtor has insufficient equity in the subject property under 11 U.S.C. 362(g)(1) because its valuation evidence regarding equity is inadmissible and the circumstances indicating that debtor was the victim of fraudulent conduct and is pursuing legal action to vindicate its rights to reorganize and pay creditors. Although the court may not be able to take judicial notice of the declaration of the appraiser filed in the state court case, the court will accord sufficient time for debtor to obtain and filed a declaration regarding valuation in this case, and likewise, for movant as well. The court will also afford the parties an opportunity to present evidence on good faith, which will necessarily entail debtor's prospects for successfully reorganizing and obtaining plan confirmation in this case. See *In re Bonner Mall Partnership*, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). The case of *In re Walter*, 108 B.R. 244 (Bankr. C.D. Cal. 1989) does not necessarily dictate a finding of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 31, 2018

Hearing Room 1675

9:00 AM

CONT...

Raeisi Group, Inc

Chapter 11

bad faith just because debtor filed for bankruptcy after failing to obtain a preliminary injunction to enjoin a foreclosure unless debtor cannot show that it can successfully reorganize and demonstrate reasonable prospects that a plan can be confirmed as recognized by the Bonner Mall decision. Appearances are required on 6/18/18 to discuss scheduling of pretrial and trial proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Raeisi Group, Inc

Represented By
Christopher P Walker

Movant(s):

U.S. Bank National Association as

Represented By
William D Coffee

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 31, 2018

Hearing Room 1675

9:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/27/18, 8/22/18, 9/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 10/29/18. No tentative ruling on the merits. Appearances are required on 10/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/19/19, but counsel may appear by telephone.

No updated tentative ruling as of 8/20/18. Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. The claims bar date should be at least 60 days from the date of notice of bar date to creditors, so 6/1/18 is not appropriate. Otherwise, no tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, October 31, 2018

Hearing Room 1675

9:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#3.00 Hearing re: Motion to dismiss bankruptcy case

Docket 50

Tentative Ruling:

Deny creditor's motion to dismiss for failure to serve all creditors as required by FRBP 2002(a)(4) and 9013, or allow creditor to renotice for further hearing. (In contrast, notice of the motion of the United States Trustee to dismiss or convert set for hearing on 11/14/18 at 11:00 a.m. was given to all creditors.) Appearances are required on 10/31/18.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

10:30 AM

2:10-26783 Terrance Owens Elliott

Chapter 7

Adv#: 2:10-02942 Satterwhite v. Elliott

#1.00 Hearing re: Application for appearance and examination of judgment debtor Terrance Owens Elliott

Docket 155

***** VACATED *** REASON: Off calendar per notice filed on 10/31/18-
mb.**

Tentative Ruling:

Updated tentative ruling as of 11/6/18. Off calendar. Matter taken off calendar by movant for lack of service. No appearances are required on 11/6/18.

Party Information

Debtor(s):

Terrance Owens Elliott

Represented By
Greta S Curtis - DISBARRED -

Defendant(s):

Terrance Owens Elliott

Pro Se

Plaintiff(s):

Tina V. Satterwhite

Represented By
Stephen R Wade
W. Derek May
Gary Harrison
Sarah E Powell

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Wilmington Savings Fund Society, FSB dba Christiana Trust VS Debtor)

Docket 523

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief under paragraph 3 because debtor is not the borrower on the loan. Deny request for extraordinary relief under paragraph 10 for lack of legal and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Union & Grattan Properties, LLC VS Debtor)

Docket 525

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4), including stay annulment, to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

10:30 AM

2:18-16237 Alvin Yap Edillor

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)

Docket 31

Tentative Ruling:

No tentative ruling in light of debtor's opposition to the motion. Appearances are required on 11/6/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Alvin Yap Edillor

Represented By
Philomena N Nzegge

Trustee(s):

Wesley H Avery (TR)

Represented By
Robert A Hessling

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

10:30 AM

2:18-20331 Denfield A. Augustus

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Mechanics Bank VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Denfield A. Augustus	Pro Se
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Trustee(s):

Carolyn A Dye (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

10:30 AM

2:18-21087 Adam J. Daugherty

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Ford Motor Credit Company LLC VS Debtor)

Docket 8

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Adam J. Daugherty

Represented By
Steven B Lever

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

10:30 AM

2:18-21425 David Cyrano Dantes

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(Lynn Cooper Administrator of the Estate of Robert Charles Dafferner VS Debtor)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 7 for lack of legal and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

David Cyrano Dantes

Pro Se

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

#8.00 Cont'd hearing re: Second interim application of Buchalter, a professional corporation for allowance and payment of professional fees and reimbursement of expenses a special litigation counsel for Howard Ehrenberg, chapter 7 trustee
fr. 8/21/18, 10/2/18

Docket 200

Tentative Ruling:

Updated tentative ruling as of 11/5/18. Approve the second interim fee application of special litigation counsel for trustee for the reasons stated in the fee application and for lack of timely written objection. The court notes that the notice of hearing on the application stated that copies of the fee application can be reviewed at the Bankruptcy Court in Woodland Hills. In the future, applicant should indicate that the further applications can be reviewed at the Bankruptcy Court in Los Angeles since this is a Los Angeles Division bankruptcy case. Appearances are optional on 11/6/18, but counsel may appear by telephone. Applicant to submit a proposed order within 7 days of hearing.

Prior tentative ruling as of 10/1/18. There are a number of block billed entries by applicant. Block billing lumps together multiple tasks, making it impossible to evaluate their reasonableness. *Role Models America, Inc. v. Brownlee*, 353 F.3d 962, 971 (D.C. Cir. 2004). The court has authority to reduce hours that are billed in block format. *Welch v. Metropolitan Life Insurance Co.*, 480 F.3d 942, 948 (9th Cir. 2007). If applicant wishes to be compensated for the services which have been block billed, it will need to "unblock" the block billed entries and list out the time for each task performed. The blocked billed entries are: Exhibit 3, page 24: 11/6/17, 1.3 hours; Exhibit 3, page 25: 11/9/18, 2.8 hours, 11/13/17, 1.2 hours, 11/14/17, 1.4 hours; Exhibit 3, page 38, 3/29/18, 2.6 hours; Exhibit 3, page 41, 4/6/18, 2.2 hours, 4/8/18, 2.7 hours, 4/8/18, 2.8 hours, 4/9/18, 5.6 hours; Exhibit 3, page 42, 4/11/18, 3.8 hours, 4/18/18, 4.8 hours, 4/20/18, 2.8 hours; Exhibit 3, page 43, 4/24/18, 6.2 hours, 4/25/18, 3.9 hours, Exhibit 3, page 44, 4/26/18, 7.4 hours. Appearances are required on 10/2/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Prior tentative ruling. The court has attempted to review the interim fee application, but cannot complete its review because a number of the billing entries have been redacted on grounds of privilege. The court will not rule upon the fee application unless and until applicant submits an unredacted version of the fee application, which it may do so in camera. The court will continue the hearing for 6 weeks, 2 weeks for applicant to submit an unreacted version of the fee application and 4 weeks for the court to review, considering there are over 50 pages of billing entries. Applicant must submit the unredacted version of the billing entries by 9/4/18, and the hearing is continued on the court's own motion to 10/2/18 at 2:30 p.m. No appearances are required on 8/20/18.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01120 Ehrenberg v. Cosmetics Gallery, Inc. et al

#9.00 Cont'd status conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/19/18, 9/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/5/18. The court has reviewed the joint status report, stating that the parties are settling and requesting a continuance of the status conference to late January 2019. The court on its own motion continues the status conference to 1/29/19 at 1:30 p.m. Counsel for plaintiff to give notice. No appearances are required on 11/6/18.

Prior tentative ruling. The court has reviewed the joint status report. Because the parties have not had their LBR 7026-1 conference and the adversary proceeding is not yet at issue since defendants have not answered the complaint, the court is inclined to continue the status conference until after the extended response date of 7/16/18 so that the responses to the complaint can be filed. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Cosmetics Gallery, Inc.

Pro Se

Srinivas Venkumahanti

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By

Anthony J Napolitano

Michael Fischer

Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01121 Ehrenberg v. JYMK COSMETICS, INC. et al

#10.00 Cont'd status conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/19/18, 9/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/5/18. The court has reviewed plaintiff's unilateral status report, stating that plaintiff intends to file a motion for default judgment and requesting a continuance of the status conference to late January 2019. The court on its own motion continues the status conference to 1/29/19 at 1:30 p.m. Counsel for trustee to give notice if required because any defendant has appeared. No appearances are required on 11/6/18.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Because default has been entered against defendant and plaintiff has represented that it intends to file a motion for default judgment shortly, the court on its own motion continues the status conference for about 60 days to 11/6/18 at 1:30 p.m. so plaintiff can file its motion for default judgment. No appearances are required on 9/18/18.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. Because defendants have not responded to the complaint and plaintiff intends to request entry of their default, the court is inclined to continue the status conference for about 60 days so plaintiff can file a request for entry of default. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Defendant(s):

JYMK COSMETICS, INC. Pro Se

In One Corporation Pro Se

Plaintiff(s):

Howard M. Ehrenberg Represented By
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR) Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01122 Ehrenberg v. Perfumerie, Inc. et al

#11.00 Cont'd status conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/19/18, 9/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/5/18. No tentative ruling on the merits. Appearances are required on 11/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. The court has reviewed the joint status reports indicating that the parties do not agree on a pretrial schedule and on whether the matter should be ordered to mediation. Appearances are required on 9/18/18 to discuss scheduling and mediation, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status reports. Because the parties have not had their LBR 7026-1 conference, the court is inclined to continue the status conference for about 60 days so that the parties can conduct the conference and make initial discovery disclosures. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Perfumerie, Inc.

Pro Se

Puja Lachmandas

Pro Se

Parvez Syed

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Rajkumari Aswani Pro Se

Naintara Jiwnani Pro Se

Archana Jiwnani Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01123 Ehrenberg v. Kolli

#12.00 Cont'd status conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/19/18, 7/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/5/18. The court has reviewed the joint status report, stating that the parties are settling and requesting a continuance of the status conference to late January 2019. The court on its own motion continues the status conference to 1/29/19 at 1:30 p.m. Counsel for plaintiff to give notice. No appearances are required on 11/6/18.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 7/31/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status reports. Because the parties have not had their LBR 7026-1 conference, the court is inclined to continue the status conference for about 60 days so that the parties can conduct the conference and make initial discovery disclosures. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Raja Sekhar Kolli

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By

Anthony J Napolitano

Michael Fischer

Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01124 Ehrenberg v. Chaparala

#13.00 Cont'd status conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/19/18, 9/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/5/18. The court has reviewed the joint status report. Set a discovery cutoff date of 3/31/19, and as requested by plaintiff, a further status conference to 1/29/19 at 1:30 p.m. Appearances are required on 11/6/18 to discuss scheduling and defendant's request for mediation, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. Off calendar. The court has reviewed the joint status report requesting a continuance of the status conference to 11/6/18 at 1:30 p.m., which request the court grants and continues the status conference to that date and time for the reasons stated in the status report. No appearances are required on 9/18/18.

Prior tentative ruling. The court has reviewed the joint status report. Because the parties have not had their LBR 7026-1 conference, the court is inclined to continue the status conference for about 60 days so that the parties can conduct the conference and make initial discovery disclosures. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

Rama Krishna Chaparala

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

2:16-15692 Rama Krishna Chaparala

Chapter 7

Adv#: 2:18-01125 Ehrenberg v. VC Sales and Services, LLC et al

#14.00 Cont'd status conference re: Complaint for the avoidance and recovery of fraudulent transfers
fr. 6/19/18, 9/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/5/18. The court has reviewed the joint status report, stating that the parties are settling and requesting a continuance of the status conference to late January 2019. The court on its own motion continues the status conference to 1/29/19 at 1:30 p.m. Counsel for plaintiff to give notice. No appearances are required on 11/6/18.

Prior tentative ruling as of 9/17/18. Off calendar. The court has reviewed the joint status report representing that the parties have been engaged in informal discovery and settlement discussions and requesting a continuance of the status conference to 11/6/18 at 1:30 p.m. so the parties can continue these discussions. The court on its own motion continues the status conference to 11/6/18 at 1:30 p.m. An updated joint status report is due on 10/30/18. No appearances are required on 9/18/18.

Prior tentative ruling. The court has reviewed the joint status report of some parties and the unilateral status report of defendant VC Sales and Services, LLC. Because the parties have not had their LBR 7026-1 conference and the adversary proceeding is not yet at issue since certain defendants have not answered the complaint and one defendant, VC Sales and Services, LLC, has not timely responded to the complaint (however, this defendant contends that service was not proper), the court is inclined to continue the status conference until after the extended response date of 7/16/18 so that the responses to the complaint can be filed by defendants who have extensions of time to respond to the complaint and that plaintiff can request entry of default against the defendant which has not timely responded to the complaint, or that defendant's motion to set aside default can be heard. Appearances are required on 6/19/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

CONT... Rama Krishna Chaparala

Chapter 7

Party Information

Debtor(s):

Rama Krishna Chaparala

Represented By
Jeffrey N Wishman
Leon D Bayer

Defendant(s):

VC Sales and Services, LLC

Pro Se

Raja Sekhar Vadlamudi

Pro Se

Ravik Chigurupati

Pro Se

Kavita Tummala

Pro Se

Plaintiff(s):

Howard M. Ehrenberg

Represented By
Anthony J Napolitano

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Anthony J Napolitano
Michael Fischer
Michael Fischer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

2:17-11797 Jay Yoon

Chapter 7

Adv#: 2:17-01281 Lavitex, Inc. v. Yoon

#15.00 Order to show cause why sanctions should not be imposed against plaintiff Lavitex, Inc., and defendant Jay Yoon and their counsel for failure to appear at status conference

Docket 23

Tentative Ruling:

No tentative ruling as of 11/5/18. Appearances are required on 11/6/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Jay Yoon

Represented By
Young K Chang

Defendant(s):

Jay Yoon

Represented By
Young K Chang

Plaintiff(s):

Lavitex, Inc.

Represented By
K Tom Kohan

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

2:17-11797 Jay Yoon

Chapter 7

Adv#: 2:17-01281 Lavitex, Inc. v. Yoon

#16.00 Cont'd status conference re: Plaintiff's complaint to determine nondischargeability of debt and objections to discharge fr. 1/9/18, 3/6/18, 9/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/5/18. No tentative ruling on the merits. Appearances are required on 11/6/18, but counsel may appear by telephone.

Updated tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits. Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed defendant's status report, but notes that plaintiff was not part of the status report. Defendant untimely served his answer, but default had not yet been entered. Plaintiff to address whether it objects to the filing of the answer and defendant defending in this matter since plaintiff indicated at the status conference on 7/25/17 that it intended to resubmit a request for entry of default. Appearances are required on 10/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. Appearances are required on 7/25/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

CONT... Jay Yoon

Chapter 7

Party Information

Debtor(s):

Jay Yoon

Represented By
Young K Chang

Defendant(s):

Jay Yoon

Pro Se

Plaintiff(s):

Lavitex, Inc.

Represented By
K Tom Kohan

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

2:18-11475 Catherine Trinh

Chapter 11

Adv#: 2:18-01209 Voong v. Trinh

#17.00 Cont'd status conference re: Adversary complaint for declaratory relief
fr. 8/21/18

Docket 1

Tentative Ruling:

Updated and revised tentative ruling as of 11/6/18. Off calendar. Continued by stipulation and order to 3/5/19 at 1:30 p.m. No appearances are required on 11/6/18.

Prior tentative ruling as of 11/5/18. The court has reviewed the joint status report. The court tends to agree with plaintiff and defendant Trinh that a determination of whether the estate has an interest in the subject property first would be a more efficient use of litigation resources as that seems to be a straightforward issue. Deciding this issue is a threshold issue for Second Generation's fraudulent transfer claims, and the parties would not have to litigate these claims if the assets were plaintiff's separate property. Appearances are required on 11/6/18, but counsel may appear by telephone.

Updated tentative ruling as of 11/5/18. No tentative ruling on the merits. Appearances are required on 11/6/18, but counsel may appear by telephone.

No tentative ruling as of 8/20/18. The court intends to advance the related matters on the court's 2:30 p.m. calendar to be heard with the status conference. However, the status conference will be conducted at the end of the 1:30 p.m. for matters in other cases to be called first. Appearances are required on 8/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

CONT... Catherine Trinh

Chapter 11

Defendant(s):

Catherine Trinh

Pro Se

Plaintiff(s):

Kevin Voong

Represented By
Dawn M Coulson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

1:30 PM

2:18-20814 Joseph Flores-Beauchamp, Trustee of the Joseph Flo

Chapter 7

#17.10 Cont'd status conference re: Involuntary chapter 7 petition
fr. 10/23/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/5/18. No tentative ruling on the merits.
Appearances are required on 11/6/18, but counsel may appear by telephone.

No tentative ruling as of 10/22/18. Appearances are required on 10/23/18.

Party Information

Debtor(s):

Joseph Flores-Beauchamp, Trustee Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:00 PM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

#18.00 Status conference re: Chapter 7

Docket 1

Tentative Ruling:

The court has reviewed the trustee's supplemental declaration filed on 10/18/18, which it finds helpful. Having reviewed the declaration, the trustee should be prepared how she plans to resolve any remaining claims disputes so the case will be soon in a posture to be closed. Appearances are required on 11/6/18.

Party Information

Debtor(s):

Kathleen Kellogg-Taxe

Represented By
Miri Kim Wakuta
Gregory M Salvato

Trustee(s):

Carolyn A Dye (TR)

Represented By
Carolyn A Dye (TR)
James A Dumas Jr
Miri Kim Wakuta
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:00 PM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

#19.00 Cont'd hearing re: Second interim application for fees and reimbursement of costs of LEA Accountancy, LLP, accountant for chapter 7 trustee fr. 10/2/18

Docket 484

Tentative Ruling:

Revised and updated tentative ruling as of 11/6/18. In fairness to all professionals and creditors, deny without prejudice until trustee files a final report, all final fee applications are submitted and the case is ready to be closed. Appearances are required on 11/6/18, but trustee and applicant may appear by telephone.

Prior tentative ruling as of 11/5/18. Appearances are optional on 11/6/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Prior tentative ruling. Approve second interim fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 10/2/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Kathleen Kellogg-Taxe

Represented By
Miri Kim Wakuta
Gregory M Salvato

Movant(s):

LEA Accountancy, LLP

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:00 PM

CONT... Kathleen Kellogg-Taxe

Chapter 7

Trustee(s):

Carolyn A Dye (TR)

Represented By
Carolyn A Dye (TR)
James A Dumas Jr
Miri Kim Wakuta
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:00 PM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

#20.00 Cont'd hearing re: Second interim application for fees and reimbursement of costs of Dumas & Kim, APC., counsel for trustee fr. 10/2/18

Docket 481

Tentative Ruling:

Revised tentative ruling as of 11/6/18. Deny without prejudice. The court is not inclined to approve applicant's large fee request of \$387,101.57 in this Chapter 7 bankruptcy case while there is no indication when and how the case will be closed and distributions will be made to general creditors, that there is no indication that there will be any meaningful dividend to general creditors, the firm has already received a large interim fee payment of \$450,000 already in this case and it appears that the lion's share of the assets of the estate is going to pay the firm's fees. See *In re Scoggins*, 517 B.R. 206, 221 and n. 13 (Bankr. E.D. Cal. 2014)("One may ask what is the harm in a disproportionate trustee or professional fee if nobody objects? The harm is the loss of public confidence in the integrity of the bankruptcy system if it comes to be regarded as managed primarily for the benefit of those who operate it."), citing and quoting R.R. Palmer, *A History of the Modern World* at 44 (Knopf 1963)("The [14th Century] Church faced the danger that besets every successful institution--a form of government, an army or navy, a business corporation, a labor union, a university, to choose modern examples--the danger of believing that the institution exists for the benefit of those who conduct its affairs."). The impression here is with this application, only the professionals are benefiting from the estate with no prospect of creditor distributions in sight. Appearances are required on 11/6/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kathleen Kellogg-Taxe

Represented By
Miri Kim Wakuta

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:00 PM

CONT... Kathleen Kellogg-Taxe

Chapter 7

Gregory M Salvato

Trustee(s):

Carolyn A Dye (TR)

Represented By

Carolyn A Dye (TR)

James A Dumas Jr

Miri Kim Wakuta

Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01113 Diamond, Chapter 7 Trustee, Plaintiff v. Premier Rehabilitation Services, a

#21.00 Hearing re: Plaintiffs motion to extend discovery cutoff deadline and continue pretrial conference

Docket 77

Tentative Ruling:

Grant plaintiff's motion to extend discovery cutoff deadline and to continue pretrial conference for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 11/6/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M. Jonathan Hayes
Michael Jay Berger

Defendant(s):

Premier Rehabilitation Services, a

Represented By
Jeffrey S Shinbrot

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell
Howard Kollitz
Zev Shechtman
Sonia Singh

Trustee(s):

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

CONT...

Corona Care Convalescent Corporation

Zev Shechtman

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

2:13-37216 Albert Talassazan

Chapter 7

#22.00 Hearing re: Chapter 7 trustee's notice regarding receipt of proceeds from sale of real property

Docket 160

Tentative Ruling:

No tentative ruling as of 11/5/18. Appearances are required on 11/6/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Albert Talassazan

Represented By
Kenderton S Lynch

Trustee(s):

Peter J Mastan (TR)

Represented By
Reem J Bello
Jeffrey I Golden
Christopher J Green

United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

2:15-18338 Phoenix Home Restorations LLC

Chapter 7

#23.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
(Wesley H. Avery, Chapter 7 Trustee)

Docket 221

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 11/6/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Phoenix Home Restorations LLC Pro Se

Trustee(s):

Wesley H Avery (TR) Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

2:15-18338 Phoenix Home Restorations LLC

Chapter 7

#24.00 Hearing re: Application for fees and expenses
(Robert M. Aronson, Trustee Attorney)

Docket 219

Tentative Ruling:

Approve final fee application of attorney for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 11/6/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Phoenix Home Restorations LLC

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

2:15-18338 Phoenix Home Restorations LLC

Chapter 7

#25.00 Hearing re: Application for fees and expenses
(SLBiggs, Accountant to Chapter 7 Trustee)

Docket 218

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 11/6/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Phoenix Home Restorations LLC

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

2:17-18552 KELVIN LEVERETTE

Chapter 7

#26.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Jason M. Rund, Chapter 7 Trustee]

Docket 52

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 11/6/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

KELVIN LEVERETTE

Represented By
Hedy Zhang

Trustee(s):

Jason M Rund (TR)

Represented By
Mika Hilaire

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

2:17-18552 KELVIN LEVERETTE

Chapter 7

#27.00 Hearing re: Application for fees and expenses
[Hahn Fife & Company LLP, Accountant for Chapter 7 Trustee]

Docket 50

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 11/6/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

KELVIN LEVERETTE

Represented By
Hedy Zhang

Trustee(s):

Jason M Rund (TR)

Represented By
Mika Hilaire

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#28.00 Cont'd hearing re: Motion of defendant JPMorgan Chase Bank, N.A. to dismiss first amended complaint
fr. 7/10/18, 7/31/18, 8/21/18, 9/25/18

Docket 32

***** VACATED *** REASON: Cont'd from 11/6/18 to 12/11/18 at 2:30 p.m.
per stip & order entered on 10/1/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 12/11/18 at 2:30 p.m. No appearances are required on 11/6/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Represented By
Matthew S Henderson

QUALITY LOAN SERVICE

Represented By
Merdaud Jafarnia

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 11

#29.00 Hearing re: First and final fee application of Terzian Law Group, a professional corporation, attorneys for debtor and debtor in possession

Docket 221

***** VACATED *** REASON: Matter rescheduled to 12/4/18 at 2:30 p.m.
per notice filed on 10/18/18-mb.**

Tentative Ruling:

Off calendar. Matter rescheduled to 12/4/18 at 2:30 p.m. No appearances are required on 11/6/18.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz
Tamar Terzian

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

2:17-23932 John Michael Anderson

Chapter 7

#30.00 Hearing re: Chapter 7 trustee's motion for order approving compromise of controversy pursuant to Federal Rule of Bankruptcy Procedure 9019

Docket 51

Tentative Ruling:

Grant trustee's motion to approve compromise for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 11/6/18, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days.

Party Information

Debtor(s):

John Michael Anderson

Represented By
Andrew S Mansfield

Trustee(s):

Jason M Rund (TR)

Represented By
Thomas H Casey
Kathleen J McCarthy

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

2:18-15774 Yoshihiro Ishii

Chapter 7

Adv#: 2:18-01261 McCall v. Yoshihiro

#31.00 Hearing re: Plaintiff's motion for default judgment under LBR 7055-1

Docket 15

Tentative Ruling:

Grant plaintiff's motion for default judgment for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 11/6/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Yoshihiro Ishii

Represented By
Irwin M Friedman

Defendant(s):

Ishii Yoshihiro

Pro Se

Plaintiff(s):

Patrick A. McCall

Represented By
Richard G Heston

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

2:18-15774 Yoshihiro Ishii

Chapter 7

Adv#: 2:18-01261 McCall v. Yoshihiro

#32.00 Cont'd status conference re: Complaint to determine dischargeability of debt
fr. 10/16/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/5/18. No tentative ruling on the merits.
Appearances are required on 11/6/18, but counsel may appear by telephone.

Off calendar. The court has reviewed plaintiff's unilateral status report, stating that default has been entered against defendant and plaintiff has noticed his motion for default judgment for hearing on 11/6/18 at 2:30 p.m. In the interest of judicial economy, the court on its own motion continues the status conference to the date and time of the hearing on the motion for default judgment on 11/6/18 at 2:30 p.m. No appearances are required on 10/16/18.

Party Information

Debtor(s):

Yoshihiro Ishii

Represented By
Irwin M Friedman

Defendant(s):

Ishii Yoshihiro

Pro Se

Plaintiff(s):

Patrick A. McCall

Represented By
Richard G Heston

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 6, 2018

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#33.00 Hearing re: Motion for leave of court to file claim in civil court against Discover, Unify Credit Union f/k/a Western Federal Credit Union, broker Pinnacle Estate Properties broker for Richard Pena, broker Cal American Homes broker for Aaron Juarez, International City Mortgage, Gregory Wells, and Carlos C. Farfan the buyer for debtor's property, motion for leave of court to file negligent complaint against debtor's former attorney Anerio Altman

Docket 353

Tentative Ruling:

Deny debtor's motion for leave to file claims in civil court against certain parties because there is no authority showing that leave of court is required since the court has not issued a prefiling order restricting debtor from filing lawsuits under the standards of *Ringgold-Lockhart v. County of Los Angeles*, 761 F.3d 1057 (9th Cir. 2014). The court does not pass on the merits of any claim that debtor may have against these parties, but as noted in *Ringgold-Lockhart*, the court has authority to impose sanctions for frivolous or baseless claims under authorities such as Federal Rule of Civil Procedure 11. Deny requests of trustee and creditors for such a prefiling order restricting debtor from filing lawsuits since they need to bring a motion for such affirmative relief meeting the standards of *Ringgold-Lockhart*. Appearances are required on 11/6/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

10:00 AM

2:18-11525 **Shahriar Joseph Zargar and Shabnam Mesachi**

Chapter 11

#1.10 Cont'd hearing re: Debtors' objection to amended claim no. 9 and motion to estimate claim for purposes of voting and distribution
fr. 10/24/18

Docket 103

***** VACATED *** REASON: Cont'd from 11/7/18 to 11/14/18 at 10:00 a.m. per order entered on 10/31/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/5/18. Off calendar. Continued on the court's own motion to 11/14/18 at 11:00 a.m. No appearances are required on 11/7/18.

Prior tentative ruling. Continued on the court's own motion by written order to 11/7/18 at 10:00 a.m. No appearances are required on 10/24/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:12-15652 Dale Alfred Williams

Chapter 11

#1.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/29/18, 8/22/18, 10/3/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/6/18. The court is still deliberating on the trial in of debtor's objection to the claim of the Internal Revenue Service. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. The court is still deliberating on the trial in of debtor's objection to the claim of the Internal Revenue Service. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. Off calendar. The court continues the hearing on its own motion to 10/3/18 at 11:00 a.m. No appearances are required on 8/22/18.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 4/25/18 at 11:30 a.m. No appearances are required on 3/27/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 3/28/18 at 11:30 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/8/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 2/28/18 at 11:30 a.m. No appearances are required on 1/10/18.

Prior tentative ruling as of 9/11/17. Off calendar. In light of the pending motion of the United States Trustee to dismiss or convert now set for hearing on 10/25/17 at 11:30 a.m., the court on its own motion continues the status conference to 10/25/17 at 11:30 a.m. No appearances are required on 9/13/17.

Prior tentative ruling as of 4/3/17. Off calendar. In light of the pendency of the litigation proceedings involving debtor's objection to the tax claims, the court on its own motion continues the status conference to 9/13/17 at 11:00 a.m. No appearances are required on 4/5/17.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/15/16 to discuss scheduling of next status

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/16/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/9/15. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of litigation disputes of debtor's objection to the IRS claim and creditor Rory Williams's motion to file late-filed claim. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of debtor's objection to the IRS claim. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 8/25/14. Appearances are required on 8/27/14 to schedule a post-confirmation status conference, but counsel may appear by telephone.

Prior tentative ruling. The court continues on its own motion the status conference to 8/27/14 at 11:00 a.m. at which time the court will set a post-

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... **Dale Alfred Williams** **Chapter 11**
confirmation status conference in November 2014 since a post-confirmation status conference was not set at the confirmation hearing on 7/24/14. No appearances are required on 8/21/14

Party Information

Debtor(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

Movant(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:12-28426 Chestnut, LLC

Chapter 11

#2.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 12/13/17, 5/16/18, 8/8/18

Docket 59

Tentative Ruling:

Updated tentative ruling as of 11/6/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/7/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/11/18. Off calendar. The court has reviewed debtor's status report filed on 5/9/18 reporting that debtor is preparing a motion for final decree and requesting a 60 to 90 day continuance of the status conference for such motion to be noticed and heard. The court on its own motion continues the status conference to 8/8/18 at 11:00 a.m. No appearances are required on 5/16/18.

Updated tentative ruling as of 12/11/17. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/13/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/17. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. Appearances are required on 6/15/16, but

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Chestnut, LLC

Chapter 11

counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. Appearances are required on 3/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 5/11/15. Appearances are required on 5/12/15, but counsel may appear by telephone.

Party Information

Debtor(s):

Chestnut, LLC

Represented By
Raymond H Aver

Movant(s):

Chestnut, LLC

Represented By
Raymond H Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century and 400 S.

Chapter 11

#3.00 Cont'd hearing re: Motion of Jennifer Kellen for allowance and immediate payment of administrative claim pursuant to 11 U.S.C. § 503(b)(1)(A)(i) fr. 10/3/18

Docket 2375

Tentative Ruling:

Treat as a contested matter under FRBP 9014 and set a schedule of pretrial and trial proceedings. The court will treat the hearing as a status conference to set a schedule of further proceedings. The parties should confer regarding their pretrial needs and an appropriate schedule. Appearances are required on 11/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#4.00 Cont'd hearing re: Motion of plan agent for leave to amend fourth amended complaint, and for joinder of additional section 550 defendants fr. 10/24/18

Docket 439

Tentative Ruling:

No tentative ruling as of 11/6/18. Appearances are required on 11/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the	Represented By Thomas M Geher David W. Meadows Jerome S Cohen Carolyn A Dye
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Defendant(s):

Ace Gallery New York Corporation,	Represented By Alan W Forsley
Douglas Christmas	Represented By Alan W Forsley
Ace Gallery New York, Inc., a	Represented By Alan W Forsley
ACE MUSEUM, a California	Represented By Alan W Forsley
400 S La Brea, LLC a California	Represented By Michael W Vivoli Ashley M McDow Ronald Rus

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Art and Architecture Books of the 21st Century Chapter 11

Fahim Farivar
Brian L Davidoff
Keith Patrick Banner

Jennifer Kellen

Represented By
J. Bennett Friedman

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn
Daniel A Lev
David J Richardson
Asa S Hami
Jessica Vogel

Official Committee Of Unsecured

Represented By
David J Richardson
Victor A Sahn

Sam Leslie

Represented By
Victor A Sahn
Carolyn A Dye
David J Richardson
Jason Balitzer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

Adv#: 2:15-01679 THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF T v.

#5.00 Cont'd status conference re: Complaint for: (1) Avoidance, recovery, and preservation of fraudulent transfers; (2) Avoidance, recovery, and preservation of preferential transfers; (3) Turnover of property; (4) Avoidance and recovery of transfers; (5) Avoidance and recovery of post-petition transfers to defendant ACE Gallery New York Corporation; and (6) Disallowance of claims fr. 6/6/18, 8/8/18, 9/12/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/6/18. No tentative ruling on the merits. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/10/18. Appearances are required on 9/12/18, but counsel may appear by telephone. No tentative ruling on the state of discovery, except regarding 400 S. La Brea, LLC's submission of documents for *in camera* review:

Document	Tentative Ruling
400 S. La Brea, LLC's 2015 Balance Sheet	Deny disclosure. Submission includes confidential commercial information, the disclosure of which would impose a burden on 400 S. La Brea that outweighs any benefit to the Plaintiff because the information is irrelevant to Plaintiff's claim. See Fed. R. Civ. P. 26(b)(1), 45(d)(3)(B)(i).
400 S. La Brea, LLC's 2016 Balance Sheet	
400 S. La Brea, LLC's 2016 Income Statement	
400 S. La Brea, LLC's 2016 Federal and State Tax Returns	

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT...

Art and Architecture Books of the 21st Century

Chapter 11

<p>2012 Appraisal of the Subject Property</p> <p>2013 Appraisal of the Subject Property</p>	<p>Order disclosure, subject to redaction of "confidential commercial information."</p>
<p>2017 Appraisal of the Subject Property</p> <p>Technical Review of the 2017 Appraisal of the Subject Property</p>	<p>Deny disclosure. Submission includes confidential commercial information, the disclosure of which would impose a burden on 400 S. La Brea that outweighs any benefit to the Plaintiff because the information is irrelevant to Plaintiff's claim. See Fed. R. Civ. P. 26(b)(1), 45(d)(3)(B)(i). The 2017 documents are irrelevant because they postdate the subject lease term.</p>

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits. Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/2/18. No tentative ruling on the merits. Appearances are required on 4/4/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

No updated tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed the joint status

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... **Art and Architecture Books of the 21st Century** **Chapter 11**

report. No tentative ruling on the merits. Appearances are required on 12/13/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings in light of the anticipated motion to consolidate related actions, but counsel may appear by telephone.

Prior tentative ruling as of 6/20/16. No tentative ruling on the merits. Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/25/16. Off calendar. The court has reviewed plan agent's unilateral status report stating that the deadline for defendant's response was extended to 4/29/16 and that the matter is not yet at issue, and the court on its own motion continues the status conference to 6/21/16 at 1:30 p.m. pending defendant's response to the complaint. No appearances are required on 4/26/16.

No tentative ruling as of 2/22/16. Appearances are required on 2/23/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Ron Bender
Beth Ann R Young
Krikor J Meshefejian
Kurt Ramlo
David W. Meadows

Defendant(s):

Ace Gallery New York Corporation,

Pro Se

Plaintiff(s):

THE OFFICIAL COMMITTEE OF

Represented By
Victor A Sahn

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:13-26021 L Scott Apparel Inc.

Chapter 11

#6.00 Cont'd status conference re: Post confirmation of plan
fr. 5/29/18, 8/22/18, 10/3/18

Docket 140

Tentative Ruling:

Updated tentative ruling as of 11/5/18. The court is still deliberating on the adversary proceeding and contested matters involving Lowell Sherron and Beyond Basics and expects to issue a ruling by 11/30/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Updated tentative ruling as of 10/1/18. The court is still deliberating on the adversary proceeding and contested matters involving Lowell Sherron and Beyond Basics. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. The court is still deliberating on the adversary proceeding and contested matters involving Lowell Sherron and Beyond Basics. Otherwise, no tentative ruling on the merits. Appearances are required on 8/22/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/19/18. Off calendar. The court continues the status conference on its own motion to 4/25/18 at 11:00 a.m. and dispenses

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

with the requirement of a written status report for the status conference on 4/25/18. No appearances are required on 3/21/18.

Prior tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Corrected tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Updated tentative ruling as of 1/23/17. Off calendar. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.
are required on 1/25/17.

Chapter 11

Prior tentative ruling as of 10/17/16. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. In light of the current pending litigation, especially the Sharron adversary proceeding, it seems that a further status conference should be set in about 120 days. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 12/1/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 12/2/15, but counsel may appear by telephone.

Prior tentative ruling as of 7/27/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 7/29/15 to discuss scheduling of further post-confirmation proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 3/9/15. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of claims as described in the status report. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/2/14. Appearances are required on 9/3/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 9/3/14 at

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

11:00 a.m. to allow the parties a limited opportunity to continue in plan modification negotiations. No appearances are required on 8/21/14.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

Movant(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#7.00 Cont'd hearing re: Motion for entry of order conditionally dismissing bankruptcy case fr. 5/29/18, 8/1/18, 10/3/18

Docket 479

Tentative Ruling:

Updated tentative ruling as of 11/6/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. The court expects to issue its ruling by 12/31/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Updated tentative ruling as of 10/1/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. Appearances are required on 3/22/17.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. The court has concerns regarding the propriety of a "structured" dismissal (called "conditional" dismissal in the moving papers), i.e., whether the record is

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... **Sarkis Investments Company, LLC**

Chapter 11

sufficient to warrant deviation from the normal procedures expressly provided in the Bankruptcy Code, i.e., a liquidating plan, case conversion or straight dismissal without conditions, or whether more broadly, whether structured dismissals are permitted at all, which may be at issue before the Supreme Court in *In re Jevic Holding Corp.*, 787 F.3d 173 (3rd Cir. 2015), cert. granted, *Czyzewski v. Jevic Holding Corp.* 136 S.Ct. 2541 (2016). See also, Transcript of Oral Argument, *Czyzewski v. Jevic Holding Corp.*, No. 15-649 (S.Ct., argued December 7, 2016); see also, e.g., Salerno, Hansen, Meyer, Schuster and Barsharis, *Advanced Chapter 11 Bankruptcy Practice*, Section 12.22 (2nd ed. online, 2016 Cum. Supp.); Greenberg, Smith and Taylor, "The Elephant Hiding in the Mousehole": *In re Jevic*, 2016 No. 10 Norton Bankr. L. Adviser NL 1 (online ed., October 2016); Pernick and Dean, "Structured Chapter 11 Dismissals: A Viable and Growing Alternative After Asset Sales," 29 *Am. Bankr. Inst. J.* 1 (June 2010); Eitel, Tinker and Lambert, "Structured Dismissals, or Cases Dismissed Outside of Code's Structure?", 30 *Am. Bankr. Inst. J.* 20 (March 2011). Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#8.00 CONT'D TRIAL RE: Final application for approval of compensation and expense reimbursement of Baker & Hostetler LLP fr. 5/29/18, 8/1/18, 10/3/18

Docket 482

Tentative Ruling:

Updated tentative ruling as of 11/6/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. The court expects to issue its ruling by 12/31/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. Off calendar. The court continues the hearing on its own motion to 10/3/18 at 11:00 a.m. No appearances are required on 8/1/18.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. Updated tentative ruling as of 5/11/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Ashley McDow. Appearances are required on 5/12/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 5/1/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Marc Benezra. Appearances are required on 5/3/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits.
Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at
11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#9.00 Cont'd hearing re: Motion for approval of chapter 11 disclosure statement
fr. 5/29/18, 8/1/18, 10/3/18

Docket 157

Tentative Ruling:

Updated tentative ruling as of 11/6/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. The court expects to issue its ruling by 12/31/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC
required on 2/28/18.

Chapter 11

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Updated tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

Updated tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/15/14. Appearances are required on 4/16/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan. Debtor has indicated that it intends to revise the disclosure statement to address objections of United States Trustee.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Ashley M McDow
Michael T Delaney
Fahim Farivar

Movant(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#10.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/29/18, 8/1/18, 10/3/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/6/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. The court expects to issue its ruling by 12/31/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are required on 11/7/18 because creditor Zehnaly appeared at the last status conference and may appear to be heard on his claim, but counsel may appear by telephone.

Updated tentative ruling as of 10/1/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the status conference on its own motion to 12/13/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 12/13/17. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court has reviewed debtor's status report. In that the court is still deliberating on the final fee application of general bankruptcy counsel for debtor, the court continues the status conference on its own motion to 10/25/17 at 1:30 p.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Updated tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

5/3/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

Prior tentative ruling as of 1/25/16. The court has reviewed debtor's status report. Appearances are required on 1/27/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 10/26/15. No tentative ruling on the merits. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

No updated tentative ruling as of 4/15/14. Appearances are required on 4/16/14.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan.

Prior tentative ruling as of 3/10/14. No tentative ruling on the merits. Appearances are required on 3/12/14, but counsel may appear by telephone.

Updated tentative ruling as of 2/24/14. No tentative ruling on the merits. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/14. The court has reviewed debtor's status report and the comments of the secured creditor on status. No tentative ruling. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 11/19/13. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/13. No tentative ruling on the merits. Appearances are required on 10/9/13.

Updated tentative ruling as of 9/18/13. Off calendar. Continued at hearing on 9/17/13 to 10/9/13 at 11:30 a.m. No appearances required on 9/18/13.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/18/13, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#11.00 Hearing re: Motion to approve compromise under Rule 9019 (Debtor's Settlement w/Banc of California, N.A.), in addition to motion for authority to obtain credit under Section 364(b), Rule 4001(c) or (d) (under Section 364(c))

Docket 554

Tentative Ruling:

The motion is deficient because: (1) not all creditors were served as required by FRBP 2002(a)(2), 4001(c)(1)(C), 9013, 9014 and 9109, and the unserved creditors from the creditor mailing matrix are: Trope and Trope LLP, LEA Accountancy LLP, Absolute Resolutions Investments, LLC and Leonard L. Gumport; (2) the mandatory court form, F 4001-2.STMT.FINANCE, was not filed as required by LBR 4001-2(a). The court is inclined to continue the hearing so debtor can correct these deficiencies. Appearances are required on 11/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#12.00 Cont'd hearing re: Motion for approval of the sufficiency of debtor's chapter 11 disclosure statement describing debtor's plan of reorganization fr. 4/25/18, 8/1/18, 10/3/18

Docket 68

Tentative Ruling:

Updated tentative ruling as of 11/6/18. No tentative ruling on the merits. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling. Deny approval of disclosure statement because: (1) plan is patently unconfirmable because it modifies loan secured by lien on debtor's principal residence in violation of 11 U.S.C. 1125(b) (plan modifies contractual interest rate on first and second secured home loans) and it does not propose a cure of outstanding arrearages on home mortgages in accordance with 11 U.S.C. 1124(2)(10 year payment of arrearages is discriminatory compared with 5 year payment of general unsecured claims); (2) disclosure statement lacks adequate information regarding plan feasibility since no financial history or financial projections are provided. Appearances are required on 4/25/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By
David I Brownstein

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#13.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/25/18, 8/1/18, 10/3/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/5/18. The court has reviewed debtor's status report requesting a continuance of about 30 day to complete settlement discussions with the secured lender. No tentative ruling on the merits. Appearances are required on 11/7/18 so that other parties, including United States Trustee, may be heard on status, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/17. The court has reviewed debtor's status report filed on 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

Updated tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Dalton Evonne Grant Chapter 11

Prior tentative ruling as of 5/22/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By
Joshua L Sternberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#14.00 CONT'D EVIDENTIARY HEARING RE: Motion for relief from stay
(U.S. Bank Trust N.A. VS Debtor)
fr. 4/25/18, 6/27/18, 8/22/18

Docket 79

Tentative Ruling:

Updated tentative ruling as of 11/6/18. No tentative ruling on the merits.
Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. No tentative ruling on the merits.
Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/3/18. On movant's claim under 11 U.S.C. 362(d) (2), it has met its burden of proof under 11 U.S.C. 362(g)(1) to demonstrate lack of equity in the subject property based on the stipulated value for the property. Debtor as the party opposing relief has the burden on the remaining issue of demonstrating under 11 U.S.C. 362(g)(2) and (d)(2) that the property is necessary to its effective reorganization, i.e., a confirmed reorganization plan is in reasonable prospect. Specifically, debtor must produce some evidence that its plan could be confirmed by a reasonable bankruptcy judge. In re Bonner Mall Partnership, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). Debtor's projected income based on its principal's consulting income of \$12,500 per month is not supported by any credible evidence for this projection. The demonstrated history in this case does not support the projection, and there is no credible explanation of how the income can be generated at that level to

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... SK Vision LLC

Chapter 11

demonstrate plan feasibility under 11 U.S.C. 1129(a)(11). Debtor has not shown that it is likely to have at least one impaired class of claims to accept its plan under 11 U.S.C. 1129(a)(10) since there is no credible evidence indicating any creditor support for the plan (debtor's conclusory assertions are not evidence). Based on what has been submitted in the papers, the court is inclined to find that debtor has not met its burden of proof on the second prong of 11 U.S.C. 362(d)(2) that the property is necessary for its effective reorganization, i.e., that its plan could be confirmed by a reasonable bankruptcy judge and that the stay relief motion should be granted. Appearances are required on 1/4/18.

Prior tentative ruling as of 11/6/17. Appearances are required on 11/7/17, but counsel may appear by telephone.

No updated tentative ruling as of 10/24/17. Appearances are required on 10/24/17, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set schedule of pretrial and trial proceedings. Appearances are required on 9/26/17 to discuss the parties' respective pretrial needs, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#15.00 Status conference re: Confirmation of plan
fr. 6/27/18, 8/22/18

Docket 109

Tentative Ruling:

Updated tentative ruling as of 11/6/18. Because Secured Claim Classes 2A, 2B and 2C have not accepted the plan by voting in favor of the plan, debtor must meet the requirements of plan cramdown under 11 U.S.C. 1129(b). Since debtor has not submitted evidence showing that the nonaccepting secured claim classes are being treated fairly and equitably under 11 U.S.C. 1129(b)(2)(A)(i.e., declarations showing that treatment of these classes is fair and equitable), set evidentiary hearing for debtor to show that plan treats these creditors fairly and equitably. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. No tentative ruling on the merits. Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

No tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#16.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/21/18, 6/27/18, 8/22/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/6/18. No tentative ruling on the merits.
Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. No tentative ruling on the merits.
Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/3/18. No tentative ruling on the merits.
Appearances are required on 1/4/18, but counsel may appear by telephone.

Updated tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits.
Appearances are required on 10/18/17, but counsel may appear by
telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits.
Appearances are required on 7/26/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... SK Vision LLC

Chapter 11

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/3/17, but counsel may appear by telephone.

No tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#17.00 Cont'd hearing re: Motion to dismiss chapter 11 bankruptcy
fr. 9/19/18, 10/17/18

Docket 118

Tentative Ruling:

Revised tentative ruling as of 10/17/18. The court retracts its tentative ruling of 10/16/18 because it has authorized debtors to respond orally to the supplemental brief of creditors by time of continued hearing, and to file a written response. Appearances are required on 10/17/18, but the prior tentative ruling on 10/15/18 remains the same.

Updated tentative ruling as of 10/16/18. Debtors filed a surreply brief and request for judicial notice of new matters on 10/15/18, which are not authorized under the court's local rules and for which debtors did not request leave of court to file, and the court will disregard these papers for purposes of the hearing on 10/17/18. Creditors need not respond to debtors' surreply or request for judicial notice at the hearing on 10/17/18, though the court might consider them as debtors' trial brief for the trial that will be set on this contested matter. Otherwise, the court's tentative ruling posted on 10/10/18 will apply.

Prior tentative ruling as of 10/15/18. The court will treat the hearing as a status conference because there are material factual disputes raised by the motion which is a contested matter under Federal Rule of Bankruptcy Procedure 9014 relating to debtors' good faith in filing this case which require an evidentiary hearing to resolve. The court will schedule an evidentiary hearing at the status conference, and the court requests that counsel appear telephonically rather than appear in person to minimize litigation costs.

Regarding the contentions of debtors, the court is of the view that the motion is not untimely and there is no bar of laches because it seems that at any time in this case, parties in interest can move for dismissal, particularly, preconfirmation, that the motion is not a litigation tactic by creditors to gain advantage in the state court, and that debtors can reorganize and confirm a

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Paul Bodeau and Sandra Bodeau

Chapter 11

plan is not an undisputed fact and remains to be seen.

Regarding the contentions of creditors, the court is of the view that debtors could propose a confirmable plan through a combination of income and asset sales, particularly as creditors acknowledge that debtors have property equity of over \$1.1 million to fund a plan, that denial of confirmation of the currently proposed plan does not necessarily mean that debtors could not later propose an amended plan that is confirmable, that creditors' opposition to a plan does not necessarily mean that a plan absolutely be confirmed under the cramdown standards of 11 U.S.C. 1129(b), provided that debtors find a way to meet the requirements of the absolute priority rule or qualify for an exemption to the rule, and that whether this is a two-party dispute is a disputed issue of material fact relating to good faith of debtors in filing this case.

If creditors are pressing their motion, the court will ask them for dates for an evidentiary hearing on the disputed material issues of fact, or these issues can be litigated in connection with plan confirmation relating to the disclosure statement and proposed plan now pending.

Appearances are required on 10/17/18, but counsel may and should appear by telephone.

Prior tentative ruling as of 9/17/18. Appearances are required on 9/19/19, but counsel may appear by telephone.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Louis H Altman

Joint Debtor(s):

Sandra Bodeau

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT...

Paul Bodeau and Sandra Bodeau

Chapter 11

Lane K Bogard
David R Haberbush
Vanessa M Haberbush
Louis H Altman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#18.00 Hearing re: Motion for order: (1) approving the adequacy of debtors' chapter 11 disclosure statement describing chapter 11 plan of reorganization; (2) authorizing debtors to solicit acceptances/rejections of their chapter 11 plan of reorganization; (3) to set a hearing re: confirmation of chapter 11 plan of reorganization; and (4) fixing a deadline for the holders of claims to accept or reject the proposed chapter 11 plan of reorganization

Docket 135

Tentative Ruling:

Deny approval of disclosure statement because: (1) insufficient legal justification for separately classifying business and "consumer" unsecured claims; (2) insufficient justification for property valuations set forth in liquidation analysis; (3) insufficient justification for 30% capital gains tax burden in liquidation analysis. Appearances are required on 11/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Louis H Altman

Joint Debtor(s):

Sandra Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Louis H Altman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#19.00 Cont'd hearing re: Application to employ The Law Offices of Brian H. Cole as Special Franchise Law Counsel
fr. 8/29/18, 9/19/18, 10/17/18

Docket 116

Tentative Ruling:

Updated tentative ruling as of 11/6/18. No tentative ruling on the merits. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/15/18. No tentative ruling on the merits. The court is inclined to trail the hearing on the application to employ until the court rules on creditor's motion to dismiss. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court on its own motion continues the hearing on the application to employ special litigation counsel to the date and time of the hearing on creditor's motion to dismiss the bankruptcy case on 9/19/18 at 2:30 p.m. as a status conference on the application. Most likely, creditor's motion to dismiss is a contested matter under FRBP 9014 and may require an evidentiary hearing which the court will set at the hearing on 9/18/18, and the hearing on the employment application will trail the hearing on the motion to dismiss since granting of the motion to dismiss will moot out the application. No appearances are required on 8/29/18. Debtor to notify applicant of the continuance.

Party Information

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbusch

Vanessa M Haberbusch

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Paul Bodeau and Sandra Bodeau

Chapter 11

Louis H Altman

Joint Debtor(s):

Sandra Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Louis H Altman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:17-17761 Paul Bodeau and Sandra Bodeau

Chapter 11

#20.00 Cont'd status conference re: Management of chapter 11 case
fr. 2/7/18, 7/11/18, 10/17/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/6/18. The court has reviewed debtor's status report indicating that debtor and creditor Oggi's Pizza & Brewing Co. have indicated a willingness to ask a settlement conference before a judicial officer. The court was thinking of asking Visiting Bankruptcy Judge Gregg Zive to act as a settlement judge because in the court's view, he would have the ideal temperament for this case, and he may be available in early December or early February to conduct a settlement conference. Otherwise, no tentative ruling on the merits. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/15/18. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. The court has reviewed debtors' status report, and the court is inclined to set a further status report in 90 days. No tentative ruling on the merits. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 11/15/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Paul Bodeau and Sandra Bodeau

Chapter 11

Debtor(s):

Paul Bodeau

Represented By
Lane K Bogard

Joint Debtor(s):

Sandra Bodeau

Represented By
Lane K Bogard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:17-17761 Paul Bodeau

Chapter 11

Adv#: 2:17-01455 Oggi's Pizza and Brewing Company v. Bodeau et al

#20.10 Cont'd status conference re: Removal of state court action to bankruptcy court and filing of underlying pleadings
fr. 12/5/17, 7/17/18, 10/23/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/6/18. No tentative ruling on the merits. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/22/18. Off calendar. At the hearing on creditor's motion to dismiss on 10/17/18, the court continued the pretrial conference to 11/7/18 at 11:00 a.m. as a status conference. No appearances are required on 10/24/18.

Prior tentative ruling as of 7/16/18. The court has reviewed the joint status report. Appearances are required on 7/17/18 to discuss the status of the mediation, timing of expert witness discovery and scheduling of pretrial conference and trial. Appearances are required on 7/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. The court has reviewed the joint status report. Set a discovery cutoff date of 6/30/18 and a further postdiscovery status conference for 7/17/18 at 1:30 p.m. with a joint status report due on 7/10/18. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 1/31/18 and complete mediation by 7/17/18. Appearances are required on 12/5/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/3/17, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Paul Bodeau

Chapter 11

Debtor(s):

Paul Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Defendant(s):

Paul Bodeau

Pro Se

Sandra Bodeau

Pro Se

Kevin Michael Bodeau

Pro Se

Bodeau Enterprises

Pro Se

DOES 1-50

Pro Se

Joint Debtor(s):

Sandra Bodeau

Represented By

Lane K Bogard

David R Haberbush

Vanessa M Haberbush

Plaintiff(s):

Oggi's Pizza and Brewing Company

Represented By

Louis H Altman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#21.00 Cont'd status conference re: Management of chapter 11 case
fr. 7/11/18, 7/18/18, 10/3/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/6/18. No tentative ruling on the merits.
Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits.
Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 2/28/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

People Who Care Youth Center, Inc. Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#22.00 Cont'd hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon
fr. 10/10/18, 10/17/18

Docket 152

Tentative Ruling:

Updated tentative ruling as of 11/6/18. No tentative ruling on the merits. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/15/18. No tentative ruling on the merits. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling. The motion of United States Trustee to dismiss or convert is based on somewhat technical violations of the bankruptcy rules and United States Trustee guidelines which have been remedied or can readily be remedied, such as lack of sufficient proof of insurance coverage, late filing of monthly operating reports and incomplete payment of quarterly fees. The court is inclined to continue the hearing on the motion to allow short but reasonable period of time to allow debtor to take corrective action to remedy these readily remediable technical violations.

The required corrective action to address the concerns raised in the motion as attested to by the bankruptcy analyst must include:

1. Proof of insurance coverage, which appears to have been provided now.
2. Prompt payment of any United States Trustee quarterly fees currently due.
3. Complete disclosure of all receipts and disbursements by debtor postpetition on her monthly operating reports, which require amendment of her filed reports. Disclosures must include identification of all receipts of family support payments and all disbursements of any and all funds by her postpetition. Debtor in her opposition to the motion indicates that she would file amended reports, but has not yet done so, which calls to mind the adage

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

CONT... Catherine Trinh

Chapter 11

that actions speak louder than words.

4. Appropriate use of debtor's DIP bank accounts, including using her general DIP account for most disbursements, and discontinuance of use of the DIP payroll and tax accounts because there does not appear to be a justifiable reason to have these separate DIP accounts apart from the general DIP account.

5. Discontinuance of debtor's use of a community property joint bank account with the nondebtor spouse.

6. Timely filing of future monthly operating reports. The court is of the view that the previous reports have not been late for long periods of time, but debtor's persistent tardiness in filing her reports indicates a dilatory attitude which goes to show that she lacks sufficient motivation to prosecute this case, which may by itself warrant granting relief requested by the United States Trustee.

No tentative ruling as of 10/5/18. Appearances are required on 10/10/18.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:18-14665 Hugo Hernandez

Chapter 11

#23.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/27/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/6/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Hugo Hernandez

Represented By
Lionel E Giron

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

11:00 AM

2:18-20547 DASK LLC

Chapter 11

#24.00 Status conference re: Management of chapter 11 case

Docket 1

Tentative Ruling:

The court is inclined to dismiss the case for failure of debtor to file required documents. Appearances are required on 11/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

DASK LLC

Represented By
Hayk Grigoryan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#25.00 Cont'd final pretrial conference re: Motion to disallow claims of Banc of California, N.A. fr. 5/2/18, 6/27/18, 8/29/18

Docket 372

Tentative Ruling:

Updated tentative ruling as of 11/6/18. Off calendar. Continued by stipulation and order to 12/5/18 at 11:00 a.m. No appearances are required on 11/7/18.

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

2:00 PM

2:16-18163 Anthony Curtis Wells
Adv#: 2:16-01341 Dumas v. Wells

Chapter 7

#26.00 Cont'd hearing re: Motion for summary judgment or partial summary judgment
fr. 9/12/18

Docket 24

***** VACATED *** REASON: Cont'd from 11/7/18 to 11/28/18 at 2:00 p.m.
per stip & order entered on 10/24/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/6/18. Off calendar. Continued by stipulation and order to 11/28/18 at 2:00 p.m. No appearances are required on 11/7/18.

Prior tentative ruling. Continued on the court's own motion by separate order to 11/7/18 at 2:00 p.m. No appearances are required on 9/12/18.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Plaintiff(s):

Jose L. Dumas

Represented By
John Clark Brown Jr
Gary A Laff

Trustee(s):

Richard K Diamond (TR)

Represented By
Howard Kollitz
Aaron E de Leest
John Clark Brown Jr

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

2:00 PM

2:16-18163 Anthony Curtis Wells
Adv#: 2:16-01341 Dumas v. Wells

Chapter 7

#27.00 Cont'd status conference re: Complaint for nondischargeability of debt
(USC §523(a)(2)(A)(6))
fr. 2/20/18, 5/22/18, 9/12/18

Docket 1

***** VACATED *** REASON: Cont'd from 11/7/18 to 11/28/18 at 2:00 p.m.
per stip & order entered on 10/24/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/6/18. Off calendar. Continued by stipulation and order to 11/28/18 at 2:00 p.m. No appearances are required on 11/7/18.

Prior tentative ruling as of 9/10/18. Off calendar. Continued on the court's own motion by separate order to 11/7/18 at 2:00 p.m. No appearances are required on 9/12/18.

Prior tentative ruling as of 5/21/18. The court has reviewed the joint status report reporting the affirmance of the state court judgment in favor of plaintiff and against defendant. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. Off calendar. The court has reviewed the joint status report suggesting that the status conference be continued to May 2018 in light of the pending appeal in the related state court litigation where oral argument is estimated to be scheduled that month. The court on its own motion continues the status conference to 5/22/18 at 1:30 p.m. No appearances are required on 2/20/18.

Prior tentative ruling as 9/25/17. Off calendar. The court has reviewed the joint status report stating that the related state court appellate proceedings are still pending and that the status conference should be continued to February 2018. The court on its own motion continues the status conference to 2/20/18 at 1:30 p.m. Counsel for plaintiff is ordered to file and serve a notice of continuance of status conference. No appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 7, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Curtis Wells
9/26/17.

Chapter 7

Prior tentative ruling as 5/26/17. No tentative ruling on the merits. Appearances are required on 5/30/17 to update the status of the state appellate proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/27/17. The status conference will be delayed to 2:00 p.m. because the court has a commitment offsite at the lunch hour. The court has reviewed the joint status report discussing the status of the related proceedings before the state appellate court and requesting a continuance of the status conference pending the decision of the state appellate court. The court on its own motion continues the status conference to 9/26/17 at 1:30 p.m. and orders the parties to file a further joint status report by 9/19/17. No appearances are required on 3/28/17.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/4/16 to discuss scheduling of mediation and trial, and the arrangements for a stay of this adversary proceeding pending appellate review of judgment in related state court litigation, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Anthony Curtis Wells

Pro Se

Plaintiff(s):

Jose L. Dumas

Represented By
John Clark Brown Jr

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#1.00 Cont'd hearing re: Plaintiffs' motion for authority to prosecute claims on behalf of the
bankruptcy estate
fr. 10/3/18

Docket 250

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits.
Appearances are required on 11/8/18, but counsel may appear by telephone.

No tentative ruling as of 10/2/18. Appearances are required on 10/3/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#2.00 Cont'd hearing re: Motion for approval of compromise of controversy regarding claims for relief that are property of the estate fr. 9/12/18, 10/3/18

Docket 232

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits. Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling. Deny without prejudice for lack of sufficient notice since not all creditors on the case mailing matrix were served as required by FRBP 9019, 2002 and 9013, including AEC Logistics Corp., BMW Financial Services NA, LLC, Flacco Truck Repair, Internal Revenue Service, Los Angeles County Treasurer and Tax Collector, Nissan and Wells Fargo Financial Leasing Inc., and some creditors were served, but not at all addresses indicated on the mailing matrix. Debtor needs to serve creditors at all of the addresses indicated on the mailing matrix, absent an adequate evidentiary showing that its service list is completely accurate.

The court agrees with debtor that the creditors opposing the motion have not addressed the factors in *In re A & C Properties*, 784 F.2d 1377, 1381 (9th Cir. 1986), that is, the probability of success in the litigation, the difficulties, if any, to be encouraged in the matter of collection, the complexity of the litigation involved, and the expense, inconvenience and delay necessarily attending it and the paramount interest of the creditors and a proper deference to their reasonable views. The objecting creditors merely argue that without discovery, it is premature and not reasonable to evaluate the settlement at this time, and the settlement presents negligible and/or insignificant benefit to the creditors as a whole. These arguments do not address the arguments raised by the motion that the settlement is fair and equitable, given the hazards and cost of the litigation and that the settlement provides value to the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

estate, which has not been shown to be greater otherwise if the case is not settled, that is, the objecting creditors have not shown that there would be any greater benefit to the estate and creditors through litigation. Saying the settlement is of negligible and/or insignificant benefit does not show that there is a better alternative.

Appearances are required on 9/12/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#3.00 Cont'd hearing re: Motion for approval of compromise of controversy regarding claims for relief that are property of the estate fr. 10/3/18

Docket 237

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits. Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/2/18. Sustain debtor's evidentiary objections to paragraph 7 of the declaration of Gregory S. Kim, and overrule the remaining objections. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#4.00 Cont'd hearing re: Motion for order authorizing and approving adequacy of debtor's disclosure statement describing debtor's first amended chapter 11 plan fr. 7/18/18, 9/19/18, 10/3/18

Docket 217

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits. Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

No tentative ruling as of 7/16/18. Appearances are required on 7/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 7/18/18, 9/19/18, 10/3/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits.
Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. No tentative ruling on the merits.
Appearances are required on 9/19/19, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. No tentative ruling on the merits.
Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/10/17. No tentative ruling on the merits.
Appearances are required on 10/11/17, but counsel may appear by
telephone.

Revised tentative ruling as of 7/25/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on
7/26/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits, but the court notes that the cash flow projection described as Exhibit A was not attached to the status report. Appearances are required on 4/19/17 to discuss setting of claims bar date and further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#6.00 Cont'd hearing re: Motion of defendant Ji Kun Lim's to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 7/18/18, 9/19/18, 10/3/18

Docket 13

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits.
Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on
9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits.
Appearances are required on 7/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Movant(s):

Ji Kun Lim

Represented By
Mette H Kurth

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#7.00 Cont'd hearing re: Motion of defendant B & O Logistics to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 7/18/18, 9/19/18, 10/3/18

Docket 8

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits. Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court agrees with defendants that actions to set aside fraudulent transfers of assets of a bankruptcy debtor belongs to the bankruptcy estate and may be the basis for a motion to dismiss because actions to collect upon assets of the estate are subject to the automatic stay and relief from stay has not been obtained by the plaintiffs. In re MortgageAmerica Corp., 714 F.2d 1266, 1275 (5th Cir. 1983); In re Curry & Sorenson, Inc., 57 B.R. 824, 827-828 (9th Cir. BAP 1986); but see, In re Colonial Realty Co., 980 F.2d 125, 130-132 (2nd Cir. 1992). As noted by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

plaintiffs, there is a division in circuit authority as to whether property of the bankruptcy estate includes property subject to a fraudulent transfer avoidance action is part of the bankruptcy estate before the avoidance action. See Peter Spero, *Fraudulent Transfers, Prebankruptcy Planning and Exemptions*, Section 3.3 (Westlaw online Sept. 2017 update), citing, *In re MortgageAmerica Corp.*, supra; *In re Colonial Realty Co.*, supra; *Rajala v. Garner*, 709 F.3d 1031 (10th Cir. 2013); *In re Allen*, 768 F.3d 274 (3rd Cir. 2014). There is no definitive case authority in the Ninth Circuit, though the Bankruptcy Appellate Panel of the Ninth Circuit has stated that a fraudulent transfer avoidance action to recover property fraudulently transferred by a bankruptcy debtor is an asset of the debtor's bankruptcy estate. *In re Curry & Sorenson, Inc.*, supra. The court will follow the BAP rule in *Curry & Sorenson, Inc.*, as the current law of the Ninth Circuit.

Having said this, however, before the court rules on defendants' motions to dismiss, the court notes that plaintiffs could obtain authority of this court to allow them as parties other than the trustee or debtor-in-possession to pursue litigation on behalf of the estate (as opposed for themselves only). *In re Curry & Sorenson, Inc.*, supra; *In re Spauding Composites Co.*, 207 B.R. 899, 903 (9th Cir. BAP 1997). If plaintiffs are seeking to enforce their own interests as creditors, the court would thus grant the motions to dismiss, but if plaintiffs are seeking authorization from the court to pursue the litigation on behalf of the estate and its creditors, they should file and serve an appropriate motion, and the court would consider it subject to hearing from other interested parties.

Deny request for an order to show cause and/or sanctions for violation of stay since the stay is not intended to protect non debtor parties. 11 U.S.C. 362(a); see also, *Ingersoll-Rand Financial Corp. v. Miller Mining Co.*, 817 F.2d 1424, 1427 (9th Cir. 1987). Moreover, it would be difficult to show civil contempt here that plaintiffs willfully violated a specific and definite order of the court by clear and convincing evidence, see, e.g., *In re Dyer*, 322 F.3d 1178. 1190-1191 (9th Cir. 2003), in bringing the fraudulent transfer action against defendants, given the uncertainty of the law as indicated by the lack of definitive case authority in the Ninth Circuit and otherwise divided circuit authority on the question of whether a fraudulently transferred property before avoidance is property of a debtor's bankruptcy estate circuit.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Appearances are required on 3/20/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#8.00 Hearing re: Motion to dismiss adversary proceeding

Docket 8

***** VACATED *** REASON: Duplicate of calendar #7-mb.**

Tentative Ruling:

Off calendar. Duplicate of matter number 7.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Mette H Kurth

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#9.00 Cont'd hearing re: Joint motion of defendants and debtor to stay adversary proceeding and related deadlines and hearings
fr. 7/18/18, 9/19/18, 10/3/18

Docket 44

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits.
Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on
9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits.
Appearances are required on 7/18/18, but counsel may appear by telephone.

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#10.00 Cont'd hearing re: Motion for authority to prosecute claims on behalf of the bankruptcy estate
fr. 7/18/18, 9/19/18, 10/3/18

Docket 43

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits.
Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits.
Appearances are required on 7/18/18, but counsel may appear by telephone.

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#11.00 Cont'd status conference re: Removal of state court action to the United States Bankruptcy Court, Central District, Los Angeles Division
fr. 7/18/18, 9/19/18, 10/3/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits.
Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on
9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits.
Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits.
Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court continues the status conference on its own motion to 5/1/18 at 3:00 p.m. to be conducted with the further hearings on defendants' motion to dismiss and in light of plaintiffs' consideration of filing a motion for authorization to prosecute the fraudulent transfer claims on behalf of the estate. No appearances are required on 4/3/18.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Defendant(s):

Hong Joo Ra	Pro Se
Michael Beom Lee	Pro Se
Sam Kim	Pro Se
Yoon Lee	Pro Se
Chang Won Choi	Pro Se
Joon Rhee	Pro Se

Plaintiff(s):

B&O Logistics, Inc.	Represented By Caroline Djang
Ji Kun Lim	Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 8, 2018

Hearing Room 1675

1:30 PM

2:18-17013 Janine Liebert

Chapter 7

#12.00 EVIDENTIARY HEARING RE: Debtor's motion to convert from chapter 7 to 13
fr. 9/18/18

Docket 11

***** VACATED *** REASON: Cont'd from 11/8/18 to 12/13/18 at 1:30 p.m.
per stip & order entered on 10/31/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 11/8/18.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because it appears that there are disputed issues of material fact regarding debtor's good faith in requesting conversion of the case to Chapter 13 and debtor's income eligibility for Chapter 13 based on her amended schedules asserting a family contribution from her brother. See *In re Deutsch*, 529 B.R. 308 (Bankr. C.D. Cal. 2015). The court has questions about trustee's estimate of \$55,000 in anticipated Chapter 7 administrative expenses which seem awfully high in this case still in its early stages. Appearances are required on 9/18/18 to discuss scheduling of an evidentiary hearing to resolve disputed issues of material fact on the motion, but counsel may appear by telephone.

Party Information

Debtor(s):

Janine Liebert

Represented By
David S Hagen

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Bayview Loan Servicing, LLC VS Debtor)

Docket 535

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4), including stay annulment, to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for relief under 11 U.S.C. 362(d)(2) for lack of evidentiary support by failing to offer admissible evidence of valuation to meet burden of proving debtor's lack of equity in the subject property under 11 U.S.C. 362(g)(1) (i.e., no showing that Zillows.com valuation opinion is made by qualified expert witness in valuation using scientifically validated valuation methods). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Admire Capital Lending LLC VS Debtor)

Docket 533

Tentative Ruling:

The court has reviewed the moving and opposing papers and is of the view that the motion should be denied or withdrawn because that the relief sought should be requested in the Bricks Hospitality Group, LLC involuntary bankruptcy case before Judge Robles and that it appears to the court that the amended petition in this case adding Bricks as a dba is bogus. It does not appear to the court to be a good idea for trustee to administer the asset in this case for the same reason. Appearances are required on 11/13/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

10:30 AM

2:18-18268 Michelle Vanna Che

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Bank of Ameirican N.A. VS Debtor)

Docket 12

Tentative Ruling:

The court does not see the factual and/or legal bases for movant's requests for extraordinary relief in paragraphs 8, 10 and 11 of the prayer for relief in the motion, and the court will require movant to file a supplemental brief to show that there are reasonable bases in fact and law for requesting such relief. See In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). Just checking off boxes on the court form motion is not a demonstration of an adequate factual or legal basis for requesting such relief. In order for the court to grant such relief, the court will need to determine that there are factual and legal bases for such relief, which are not evident in the motion. The supplemental brief will be due on 11/20/18, one week before a continued hearing on 11/27/18 at 10:30 a.m. Otherwise, no tentative ruling. Appearances are required on 11/13/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Michelle Vanna Che

Represented By
Brad Weil

Trustee(s):

JOHN J MENCHACA

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

10:30 AM

2:18-20627 Carlos Javier Garcia

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Gateway One Lending & Finance VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

No tentative ruling on movant's request for extraordinary relief in paragraph 5 of the prayer for relief in the motion requesting the court to terminate, modify or annul the co-debtor stay under 11 U.S.C. 1201(a) or 1301(a). Movant must appear and explain the factual and legal bases for such relief since the court is being asked to rule on such request.

Appearances are required on 11/13/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Carlos Javier Garcia

Represented By
D Justin Harelik

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

10:30 AM

2:18-21005 Himan Malekhosseini and Aram Asadi

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtors)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Himan Malekhosseini

Represented By
Navid Kohan

Joint Debtor(s):

Aram Asadi

Represented By
Navid Kohan

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

10:30 AM

2:18-21538 Salvador Enrique Ramos

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Breckenridge Property Fund 2016, LLC VS Debtor)

Docket 7

Tentative Ruling:

The court does not see the factual and/or legal bases for movant's requests for extraordinary relief in paragraphs 4, 8, 9, 10 and 11 of the prayer for relief in the motion, and the court will require movant to file a supplemental brief to show that there are reasonable bases in fact and law for requesting such relief. See *In re Van Ness*, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 4 requesting confirmation that there is no stay in effect. See, e.g., 11 U.S.C. 362(c).

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 8 requesting confirmation that the court can order eviction of occupants of the subject property. There is persuasive contrary authority not addressed in the moving papers. *In re Van Ness*, 399 B.R. at 907.

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 9 requesting in rem stay relief under 11 U.S.C. 362(d)(4). There is persuasive, if not controlling, contrary authority not addressed in the moving papers indicating that a purchaser at a foreclosure sale like movant lacks standing to seek in rem relief under 11 U.S.C. 362(d) (4). *In re Ellis*, 523 B.R. 673, 678-680 (9th Cir. BAP 2014).

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 10 requesting declaratory relief that any stay relief order is binding and effective in any bankruptcy case commenced by or against any debtor who claims an interest in the property for 180 days. There is contrary authority not addressed in the moving papers. *In re Van Ness*, 399 B.R. at 904-907.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

10:30 AM

CONT... Salvador Enrique Ramos

Chapter 7

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 10 requesting declaratory relief that any stay relief order is binding and effective in any bankruptcy case commenced by or against any debtor who claims an interest in the property for 180 days. There is contrary authority not addressed in the moving papers. In re Van Ness, 399 B.R. at 904-907.

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 11 requesting any stay relief order is binding and effective in any future bankruptcy case, no matter who the debtor is. There is persuasive contrary authority not addressed in the moving papers. In re Van Ness, 399 B.R. at 905-907.

Movant does not provide the legal and/or factual support for the request for stay annulment because it has failed to show that the legal standards of National Environmental Waste Corp. v. City of Riverside (In re National Environmental Waste Corp.), 129 F.3d 1052 (9th Cir. 1997) and In re Gasprom, Inc., 500 B.R. 598 (9th Cir. BAP 2013) have been met.

Movant alleges that the bankruptcy petition was filed in bad faith, but there is no indication that this is the situation here because there is no showing of any bad faith in the petition, but only that there was a postpetition transfer to debtor by the borrower, which is not an act by the debtor. Debtor in his opposition apparently disputes that the bankruptcy petition was filed in bad faith, and it appears on this record that he is right since the indications that this is a "hijacked" bankruptcy case, that is, a third party is using debtor's bankruptcy case for a bad purpose, specifically, using the automatic stay in debtor's bankruptcy case to thwart foreclosure by movant. The court is thus inclined not to make a finding of bad faith as to debtors. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

In order for the court to grant extraordinary relief requested by movant, the court will need to determine that there are factual and legal bases for such relief, which are not evident in the motion. The supplemental brief will be due on 11/20/18, one week before a continued hearing on 11/27/18 at 10:30 a.m.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

10:30 AM

CONT... Salvador Enrique Ramos

Chapter 7

Otherwise, no tentative ruling on the merits.

Appearances are required on 11/13/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Salvador Enrique Ramos

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01144 Alde Financial Group, LLC v. Martinez

#7.00 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
[11 U.S.C. §523(a)(2)(A)]
fr. 6/19/18, 7/10/18, 9/4/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/18. No tentative ruling on the merits. Appearances are required on 11/13/18 to discuss the status of the mediation and the matter in general, but counsel may appear by telephone.

Prior tentative ruling as of 8/31/18. No tentative ruling on the merits. Appearances are required on 9/4/18 to discuss the status of the mediation, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

CONT... Anthony Roy Martinez

Chapter 7

Prior tentative ruling as of 11/13/17. The court has reviewed the joint status report. Appearances are required on 11/14/17 to discuss the possibility of joint mediation, scheduling of further proceedings, including pretrial conference and trial, but counsel may appear by telephone. The consensus of the parties seems to be a discovery cutoff date of March 2018, i.e., March 31, 2018, a pretrial conference in April 2018, and a trial date in June 2018. The parties should be prepared to discuss how the case should be tried, given there are 6 sets of plaintiffs, and the length of trial, so that all parties have a full and fair opportunity to present their various cases. Perhaps it would be helpful to consider trying certain claims based on commonality of witnesses and facts, such as the particular type of investment vehicle involved. Defendant indicated an interest in mediation, but plaintiffs indicated no interest in mediation, and the court would like to hear from plaintiffs why mediation would not be helpful in resolving their claims, given that collectibility of defendant is probably an issue.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 9/1/17 and a further postdiscovery status conference for 9/26/17 at 1:30 p.m. with a joint status report due on 9/19/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 9/26/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Alde Financial Group, LLC

Represented By
Timothy J Silverman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

CONT... Anthony Roy Martinez

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01146 Karen Baird v. Martinez

#8.00 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
[11 U.S.C. §523(a)(2)(A)]
fr. 6/19/18, 7/10/18, 9/4/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/18. No tentative ruling on the merits. Appearances are required on 11/13/18 to discuss the status of the mediation and the matter in general, but counsel may appear by telephone.

Prior tentative ruling as of 8/31/18. No tentative ruling on the merits. Appearances are required on 9/4/18 to discuss the status of the mediation, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

CONT... Anthony Roy Martinez Chapter 7

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 9/1/17 and a further postdiscovery status conference for 9/26/17 at 1:30 p.m. with a joint status report due on 9/19/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 9/26/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Karen Baird

Represented By
Timothy J Silverman

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01147 Hinojos v. Martinez

#9.00 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
fr. 6/19/18, 7/10/18 9/4/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/18. No tentative ruling on the merits. Appearances are required on 11/13/18 to discuss the status of the mediation and the matter in general, but counsel may appear by telephone.

Prior tentative ruling as of 8/31/18. No tentative ruling on the merits. Appearances are required on 9/4/18 to discuss the status of the mediation, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

CONT... Anthony Roy Martinez

Chapter 7

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Ezequiel Hinojos

Represented By
Thomas Spielbauer
Thomas Spielbauer

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

2:16-24931 Anthony Roy Martinez
Adv#: 2:17-01149 Van v. Martinez

Chapter 7

#10.00 Cont'd pretrial conference re: Complaint for denial of discharge of debt
fr. 6/19/18, 7/10/18, 9/4/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/18. No tentative ruling on the merits. Appearances are required on 11/13/18 to discuss the status of the mediation and the matter in general, but counsel may appear by telephone.

Prior tentative ruling as of 8/31/18. No tentative ruling on the merits. Appearances are required on 9/4/18 to discuss the status of the mediation, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

CONT... Anthony Roy Martinez Chapter 7

the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the status reports filed by the parties. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Sandy Van

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01157 Wideload Investments, LLC et al v. Martinez

#11.00 Cont'd pretrial conference re: Complaint to determine dischargeability of debt
 [11 U.S.C. §523(a)(2)(A)]
 fr. 6/19/18, 7/10/18, 9/4/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/18. No tentative ruling on the merits. Appearances are required on 11/13/18 to discuss the status of the mediation and the matter in general, but counsel may appear by telephone.

Prior tentative ruling as of 8/31/18. No tentative ruling on the merits. Appearances are required on 9/4/18 to discuss the status of the mediation, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

CONT... Anthony Roy Martinez

Chapter 7

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Wideload Investments, LLC

Represented By
Ryan A. Ellis

Benjamin Rudnitsky

Represented By
Ryan A. Ellis

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

2:16-24931 Anthony Roy Martinez
Adv#: 2:17-01158 Carter et al v. Martinez

Chapter 7

#12.00 Cont'd pretrial conference re: Complaint to except debt from discharge for willful and malicious injury and as money obtained under false pretenses; fraud [11 U.S.C. § 523 (a)2)(A) & (6)] fr. 6/19/18, 7/10/18, 9/4/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/18. No tentative ruling on the merits. Appearances are required on 11/13/18 to discuss the status of the mediation and the matter in general, but counsel may appear by telephone.

Prior tentative ruling as of 8/31/18. No tentative ruling on the merits. Appearances are required on 9/4/18 to discuss the status of the mediation, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint pretrial stipulation filed on 7/3/18. The joint pretrial stipulation will need revision because it does not contain all the statements required for a joint pretrial stipulation set forth in Local Bankruptcy Rule 7016-1(b)(2), the witness list is incomplete as stated in the joint pretrial stipulation and the exhibit list is incomplete because not all of the exhibits are specifically listed and no objections to the exhibits are stated unless the parties waive objections. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/19/18. Off calendar. Continued by stipulation and order to 7/10/18 at 2:00 p.m. No appearances are required on 6/19/18.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. Off calendar. Continued by stipulation and order to 6/19/18 at 2:00 p.m. No appearances are required on 6/5/18.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

CONT...

Anthony Roy Martinez

Chapter 7

Prior tentative ruling as of 5/21/18. Off calendar. Continued by stipulation and order to 6/5/18 at 2:00 p.m. No appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. See tentative ruling for matter no. 13 on the hearing calendar of 11/14/17. Appearances are required on 11/14/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the unilateral status report filed by defendant. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Lance Carter

Represented By
Dana M Douglas

Jean Holmes

Represented By
Dana M Douglas

Carriage Estates LLC

Represented By
Dana M Douglas

Adamantine Investments LLC

Represented By
Dana M Douglas

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

CONT... **Anthony Roy Martinez**
Sterling Holdings LLC

Represented By
Dana M Douglas

Chapter 7

Lance Carter IRA 419990

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

2:18-16596 Nicholas Fernando Griego

Chapter 7

Adv#: 2:18-01284 Fidelity National Title Insurance Company v. Griego

#13.00 Status conference re: Complaint to determine dischargeability of debt under 11 U.S.C. §523

Docket 1

Tentative Ruling:

Off calendar. The court has reviewed plaintiff's unilateral status report and continues the status conference on its own motion to 1/29/19 at 1:30 p.m. to allow time for plaintiff to file its motion for default judgment. No appearances are required on 11/13/18.

Party Information

Debtor(s):

Nicholas Fernando Griego Pro Se

Defendant(s):

Nicholas Fernando Griego Pro Se

Plaintiff(s):

Fidelity National Title Insurance Represented By
Karen A Ragland

Trustee(s):

Peter J Mastan (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

2:18-16598 Nicholas Bowes

Chapter 7

Adv#: 2:18-01283 Camel Financial, Inc. v. Bowes et al

#14.00 Status conference re: Complaint for (1) determination that debt is nondischargeable pursuant to bankruptcy pursuant to bankruptcy code sections 523(1)(4) and 523(a)(6); and (2) for a finding of alter ego liability

Docket 1

Tentative Ruling:

The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 11/13/18.

Party Information

Debtor(s):

Nicholas Bowes	Pro Se
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Defendant(s):

Nicholas Bowes	Pro Se
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Luddivina Bowes	Pro Se
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Joint Debtor(s):

Luddivina Bowes	Pro Se
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Plaintiff(s):

Camel Financial, Inc.	Represented By Darren B. Landie Jerome S Demaree
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Trustee(s):

John J Menchaca (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

2:18-17609 Samuel Young Oh

Chapter 11

Adv#: 2:18-01285 Champery Rental REO, LLC v. Oh

#15.00 Status conference re: Complaint for turnover/conversion

Docket 1

***** VACATED *** REASON: Matter converted to chapter 13 case and
reassigned to Judge Sandra Klein per order entered on 11/2/18-mb.**

Tentative Ruling:

Off calendar. The bankruptcy case was converted to Chapter 13 and reassigned to Judge Klein. The court vacates the status conference. No appearances are necessary.

Party Information

Debtor(s):

Samuel Young Oh

Represented By
Kevin Tang

Defendant(s):

Samuel Young Oh

Pro Se

Plaintiff(s):

Champery Rental REO, LLC

Represented By
Amelia B. Valenzuela

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

1:30 PM

2:18-21441 Oscar Gomez Navarrete

Chapter 7

#16.00 Order to Show Cause re: Failure to file Certificate of Credit Counseling

Docket 1

***** VACATED *** REASON: Certificate of Credit Counseling filed on
10/12/18-mb.**

Tentative Ruling:

Off calendar. The court vacates the hearing on the order to show cause because debtor filed his credit counseling certificate. No appearances are required on 11/13/18.

Party Information

Debtor(s):

Oscar Gomez Navarrete	Pro Se
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Trustee(s):

Brad D Krasnoff (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:00 PM

2:13-39626 Peter James Eichler, Jr

Chapter 7

Adv#: 2:14-01547 Stahl, Chapter 7 Trustee v. Eichler, Jr

#17.00 Cont'd pretrial conference re: Complaint against debtor Peter James Eichler, Jr.
for denial of discharge [11 U.S.C. §727]
fr. 7/31/18, 8/28/18, 10/16/18

Docket 1

***** VACATED *** REASON: Order dismissing adv. proceeding entered
on 10/22/18-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by order entered on 10/22/18.
No appearances are necessary.

Party Information

Debtor(s):

Peter James Eichler Jr

Represented By
Christian T Kim
James A Dumas Jr
Miri Kim Wakuta

Defendant(s):

Peter James Eichler Jr

Pro Se

Plaintiff(s):

Alberta P. Stahl, Chapter 7 Trustee

Represented By
Monica Y Kim

Trustee(s):

Alberta P Stahl (TR)

Represented By
Carmela Pagay
Monica Y Kim
Timothy J Yoo

Alberta P Stahl (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:00 PM

**CONT... Peter James Eichler, Jr
U.S. Trustee(s):**

Chapter 7

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:00 PM

2:16-16503 Reggie Lyn Bishop

Chapter 7

Adv#: 2:16-01388 Patton et al v. Bishop, Sr

#18.00 Cont'd hearing re: Defendant's motion to strike pleadings
fr. 10/16/18

Docket 147

Tentative Ruling:

Deny defendant's motion to strike pleadings because successor plaintiffs have ratified counsel's pleadings filed after the death of the original plaintiff and because the motion otherwise lacks a legal basis. Appearances are required on 11/13/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Reggie Lyn Bishop	Pro Se
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Defendant(s):

Reggie Lyn Bishop Sr	Pro Se
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Plaintiff(s):

Thomas Patton	Pro Se
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Audrey Patton	Pro Se
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Trustee(s):

Timothy Yoo (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:30 PM

2:09-23484 Tyson James Underwood and Sandra Marie Underwood

Chapter 7

#19.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Jason M. Rund, Chapter 7 Trustee]

Docket 117

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 11/13/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Tyson James Underwood

Represented By
Charles Shamash
Joseph Caceres
Raymond H. Aver

Joint Debtor(s):

Sandra Marie Underwood

Represented By
Charles Shamash
Joseph Caceres
Raymond H. Aver

Trustee(s):

Jason M Rund (TR)

Represented By
Scott Lee
Amy L Goldman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:30 PM

2:09-23484 Tyson James Underwood and Sandra Marie Underwood

Chapter 7

#20.00 Hearing re: Application for fees and expenses
[Lewis Brisbois Bisgaard & Smith LLP, Attorney for Chapter 7 Trustee]

Docket 111

Tentative Ruling:

Approve final fee application of attorney for trustee for reasons stated in the fee application and for lack of timely written objection, except disallow fees of \$500.00 (1 hour @ \$500.00 per hour for appearance not needed for hearing on fee application). Appearances are optional on 11/13/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Tyson James Underwood

Represented By
Charles Shamash
Joseph Caceres
Raymond H. Aver

Joint Debtor(s):

Sandra Marie Underwood

Represented By
Charles Shamash
Joseph Caceres
Raymond H. Aver

Trustee(s):

Jason M Rund (TR)

Represented By
Scott Lee
Amy L Goldman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:30 PM

2:09-23484 Tyson James Underwood and Sandra Marie Underwood

Chapter 7

#21.00 Hearing re: Application for fees and expenses
[Hahn Fife & Company, Accountant for Chapter 7 Trustee]

Docket 112

Tentative Ruling:

Approve final fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 11/13/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Tyson James Underwood

Represented By
Charles Shamash
Joseph Caceres
Raymond H. Aver

Joint Debtor(s):

Sandra Marie Underwood

Represented By
Charles Shamash
Joseph Caceres
Raymond H. Aver

Trustee(s):

Jason M Rund (TR)

Represented By
Scott Lee
Amy L Goldman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#22.00 Hearing re: Application for payment of interim fees and/or expenses for Illyssa I Fogel, debtor's attorney

Docket 548

Tentative Ruling:

Revised tentative ruling as of 11/13/18. Off calendar. Continued by stipulation and order to 12/19/18 at 11:00 a.m. No appearances are required on 11/13/18.

Corrected tentative ruling. Off calendar. The court on its own motion continues the hearing on the application to 11/14/18 at 1:30 p.m. to be heard with hearings on other matters in the case on that date. No appearances are required on 11/13/18.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#23.00 Hearing re: Application for payment of final fees and/or expenses for DLA Piper LLP (US), debtor's attorney (11 U.S.C. §330)

Docket 571

Tentative Ruling:

Approve final fee application of DLA Piper LLP (US), successor by merger to Liner LLP, special counsel to debtor in possession for reasons stated in the fee application. The only objection to the application by creditor 7175 WB, LLC, is not well-taken because the supporting client declaration is provided by the declaration of Jonathan Mover filed on 11/6/18 stating as president of debtor that he is authorized to state that debtor has no objection to the fee application and the application is supported by evidence in the usual way through counsel declarations and billing statements with specific billing entries in both the interim and final fee applications. 7175 WB, LLC, has not otherwise shown that the fees requested are unreasonable. The court notes that the bulk of applicant's fees was requested in the interim fee application which was approved without any objection by any party, including 7175 WB, LLC. Appearances are required on 11/13/18 in light of 7175 WB, LLC's objection, but applicant and counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#24.00 Hearing re: Application for payment of interim fees and/or expenses for Liner Law Group LLP, special counsel (11 U.S.C. §331)

Docket 574

Tentative Ruling:

Since the court has entered the plan confirmation order in this case, the court declines to review the interim fee application of Liner Law Group LLP, special litigation counsel for debtor in possession, because the court can now review final fee applications of estate professionals and it is an inefficient use of the litigation and court resources to review and consider fee applications on an interim basis when they can be considered on a final basis, especially in light of objections of parties in interest to some of the fee applications of estate professionals. Applicant should resubmit and renote the fee application as a final fee application. Appearances are required on 11/13/18, but applicant and counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#25.00 Hearing re: Application for payment of interim fees and/or expenses for Freidman, Kannenberg & Company, P.C., accountant (11 U.S.C. §331)

Docket 575

Tentative Ruling:

Since the court has entered the plan confirmation order in this case, the court declines to review the interim fee application of accountant for debtor in possession because the court can now review final fee applications of estate professionals and it is an inefficient use of the litigation and court resources to review and consider fee applications on an interim basis when they can be considered on a final basis, especially in light of objections of parties in interest to some of the fee applications of estate professionals. Applicant should resubmit and renotice the fee application as a final fee application. Appearances are required on 11/13/18, but applicant and counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#26.00 Hearing re: Second interim application of Levene, Neale, Bender, Yoo & Brill LLP for approval of fees and reimbursement of expenses

Docket 583

Tentative Ruling:

Since the court has entered the plan confirmation order in this case, the court declines to review the second interim fee application of general bankruptcy counsel for debtor in possession because the court can now review final fee applications of estate professionals and it is an inefficient use of the litigation and court resources to review and consider fee applications on an interim basis when they can be considered on a final basis, especially in light of objections of parties in interest to some of the fee applications of estate professionals. Applicant should resubmit and renote the fee application as a final fee application. Appearances are required on 11/13/18, but applicant and counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#27.00 Cont'd hearing re: Motion to allow and pay administrative expense claims
fr. 7/31/18, 9/4/18, 10/9/18

Docket 453

***** VACATED *** REASON: Cont'd from 11/13/18 to 12/18/18 at 2:30
p.m. per order entered on 10/26/18-mb.**

Tentative Ruling:

Off calendar. Continued to 12/18/18 at 2:30 p.m. by prior order. No
appearances are required on 11/13/18.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc.

Chapter 11

#28.00 Cont'd status conference re: Post confirmation of plan
fr. 5/31/18, 10/3/18, 10/16/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/18. No tentative ruling on the merits. Appearances are required on 11/13/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/15/18. No tentative ruling on the merits. Appearances are required on 10/16/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling will be issued for the evidentiary hearing on plan confirmation. Appearances are required on 5/31/18.

No updated tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

No updated tentative ruling as of 4/5/18. Appearances are required on 4/9/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/30/18. Appearances are required on 4/2/18, but counsel may appear by telephone.

No updated tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:30 PM

CONT... Swing House Rehearsal and Recording, Inc. Chapter 11

Prior tentative ruling as of 2/26/18. No tentative ruling on the merits.
Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/8/18. No tentative ruling on the merits.
Appearances are required on 1/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. No tentative ruling on the merits.
Appearances are required on 11/29/17, but counsel may appear by telephone.

Prior tentative ruling. Based on the stipulation and order entered on 10/26/17,
the evidentiary hearing on plan confirmation set for 11/2/17 and 11/3/17 will
be treated as a non-evidentiary status conference on 11/2/17 at 9:00 a.m.
Appearances are required on 11/2/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Kurt Ramlo

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 13, 2018

Hearing Room 1675

2:30 PM

2:18-13287 Christian Roberto Castrejon

Chapter 7

#29.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[John J. Menchaca, Chapter 7 Trustee]

Docket 22

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 11/13/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Christian Roberto Castrejon

Represented By
Vernon R Yancy

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

2:15-12558 Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel

Chapter 11

#1.00 Hearing re: Motion for order dismissing chapter 11 case pursuant to 11 U.S.C. § 1112(b)

Docket 475

Tentative Ruling:

Grant debtor's motion to dismiss for the reasons stated in the moving papers and for lack of timely written opposition. The court determines that cause is shown for dismissal because debtor has resolved most of the disputes with creditors and there is no further need to reorganize and that dismissal is in the best interests of creditors and the estate because most of the disputes between debtor and creditors have been resolved and the remaining disputes can be more effectively resolved outside of bankruptcy. Appearances are required on 11/14/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Kenneth Leonard Dymmel

Represented By
Robert M Aronson

Joint Debtor(s):

Ruth Elizabeth Dymmel

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

2:15-12558 Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel

Chapter 11

#2.00 Hearing re: Final fee application for approval of professional compensation for legal services rendered and reimbursement of expenses incurred by debtor's counsel namely Law Office of Robert M. Aronson

Docket 476

Tentative Ruling:

Approve final fee application of attorney for debtor in possession for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 11/14/18, but applicant and counsel may appear by telephone. Applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Kenneth Leonard Dymmel

Represented By
Robert M Aronson

Joint Debtor(s):

Ruth Elizabeth Dymmel

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

2:15-12558 Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel

Chapter 11

#3.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/30/18, 6/27/18, 10/24/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/18. No tentative ruling on the merits. Appearances are required on 11/14/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

Prior tentative ruling as of 9/25/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/27/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/10/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/24/17, but counsel may appear by telephone.

Updated tentative ruling as of 12/12/16. No tentative ruling on the merits. Appearances are required on 12/13/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

CONT... Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel Chapter 11

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Updated tentative ruling as of 10/31/16. Off calendar. The court on its own motion vacates this status conference in light of the pending proceedings regarding the amended disclosure statement for which there are separate hearings at which the status of the case is considered. No appearances are required on 11/3/16.

Updated tentative ruling as of 7/5/16. No tentative ruling in light of pendency of motion to approve disclosure statement. Appearances are required on 7/6/16, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling in light of pendency of motion to approve disclosure statement. Appearances are required on 4/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 2/22/16. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 2/24/16, but counsel may appear by telephone.

No updated tentative ruling as of 12/14/15. Appearances are required on 12/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 10/19/15. Appearances are required on 10/21/15, but counsel may appear by telephone.

No updated tentative ruling as of 9/15/15. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 6/30/15. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 7/1/15 to address status, including United States Trustee compliance issues, but counsel may appear by telephone.

Prior tentative ruling as of 4/28/15. Appearances are required on 4/29/15, but

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

CONT... Kenneth Leonard Dymmel and Ruth Elizabeth Dymmel
counsel may appear by telephone.

Chapter 11

Prior tentative ruling. The court has reviewed debtors' status report. No tentative ruling as of 4/13/15. Appearances are required on 4/15/15 to address status, including United States Trustee compliance issues, but counsel may appear by telephone.

Party Information

Debtor(s):

Kenneth Leonard Dymmel

Represented By
Robert M Aronson

Joint Debtor(s):

Ruth Elizabeth Dymmel

Represented By
Robert M Aronson

Movant(s):

Kenneth Leonard Dymmel

Represented By
Robert M Aronson

Ruth Elizabeth Dymmel

Represented By
Robert M Aronson

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

2:15-17906 Stassen Conrad Goins

Chapter 11

#4.00 Status conference re: Post confirmation of chapter 11 plan
fr. 5/2/18, 7/11/18

Docket 94

Tentative Ruling:

The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 11/14/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Stassen Conrad Goins

Represented By
Brad Weil

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#5.00 Hearing re: Motion for order authorizing and approving adequacy of debtor's disclosure statement describing debtor's chapter 11 plan

Docket 108

Tentative Ruling:

Since debtor seeks bifurcation of the claim of Pacific City Bank into secured and unsecured portions, debtor will need to bring a motion to value the secured claim under FRBP 3012 and 11 U.S.C. 506(a) and not through the plan. Further, the disclosure statement should be modified to treat the secured claims as separate classes (e.g., Class 1A and Class 1B) since the treatment of the secured creditors is different

The proposed plan should be modified as follows:

1. The Effective Date of the plan is not stated since the plan lacks an "Effective Date" provision, and such provision needs to be added.
2. The duration of the plan is not stated and needs to be stated, particularly regarding treatment of general unsecured claims.
3. The language of LBR 3020-1(b) regarding vesting of property in the Chapter 7 estate if the case is converted needs to be added to the plan.
4. Section V of the plan, " Means for Implementing the Plan," should be modified: (1) subsection "The Reorganized Debtor" should be deleted because it is redundant of treatment of general unsecured creditors; (2) subsection "Corporate Actions" should be deleted because it is either superfluous or too broad in requesting declaratory relief, or be specific in what the court is supposedly ratifying; (3) subsection "Funding of the Plan" is descriptive and belongs in the disclosure statement, not directive for the plan.
5. The reference to "Holdco board" on page 9 of the plan needs to be explained or deleted.
6. References in the plan in the disclosure statement should be to "Disclosure Statement" and not by initials, "DS."

The proposed disclosure statement should be modified as follows:

1. The financial projections in Exhibits E and F to the disclosure statement are inadequate. Exhibit E should have monthly projections for the 60 month

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

CONT... JC Fits, Inc.

Chapter 11

duration of the plan, including projections of income and expense fluctuations, and actual amounts should be stated, not in "K's". Exhibit F should have historical data for the last 12 months at least with the same categories on Exhibit E, not stripped down categories from the monthly operating reports.

2. References in the disclosure statement in the disclosure statement should be to "Disclosure Statement" and not by initials, "DS".

3. The references in the disclosure statement on pages 4, 11 and 13 to "(West Supp. 2006)" or (West 2004 & Supp. 2006) should be deleted since the Bankruptcy Code as of this year should apply.

4. The statement on page 5 on the disclosure statement that "There are no unimpaired classes in this case" is incorrect and should be deleted or modified.

5. The word "it's" should be "its" on pages 5, 9 and 12 of the disclosure statement.

6. The reference to 5 years on page 6 should also be stated the alternative of 60 months.

7. The effective date of the plan should be stated on page 7 of the disclosure statement, either a specific date or a formula to set a date.

8. The plan treatment of the secured creditors should be described on page 8 of the disclosure statement.

9. The reference to "Impaired First payment date" on page 9, line 24 is unclear and needs to be made clear what the meaning is.

Appearances are required on 11/14/18, but counsel may appear by telephone.

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

2:17-21123 JC Fits, Inc.

Chapter 11

#6.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/28/18, 5/30/18, 9/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/18. No tentative ruling on the merits. Appearances are required on 11/14/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/30/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/26/18. No tentative ruling on the merits. Appearances are required on 3/28/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report proposing a claims bar date of 1/24/18 with notice being served by 11/8/17 and a disclosure statement filing deadline of 2/28/18. These dates are satisfactory, and debtor should submit a proposed scheduling order. Appearances are required on 11/1/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

JC Fits, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#7.00 Hearing re: Unsecured creditor, Emma Borges' motion for order re: convert the debtor's chapter 11 case to a chapter 7 case re: §1112 of the Bankruptcy Code

Docket 180

Tentative Ruling:

Overrule evidentiary objections of debtor to Polis declaration. The court is inclined to order debtor to file a written outline of how this case will reorganize with an estimated timetable by 11/21/18 and set a further and separate hearing on the motion on 11/28/18 at 10:00 a.m. to discuss the status of debtor's reorganization efforts. Debtor's opposition really did not show much in the way of the presence of a reasonable likelihood of reorganization to persuade the court to deny the motion at the hearing on 11/14/18, which is somewhat disconcerting, given the age of this case, now approaching its one year anniversary on 11/30/18. The court thinks debtor must make some showing of a reasonable likelihood of a confirmable plan within a reasonable period of time, or otherwise it might be convinced to grant the motion. Appearances are required on 11/14/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar
Adv#: 2:18-01144 Shadsirat v. Zargar et al

Chapter 11

#8.00 Hearing re: Plaintiff's motion for this court to abstain, or in the alternative, to stay adversary proceeding

Docket 31

Tentative Ruling:

Revised tentative ruling as of 11/13/18. Off calendar. Continued by stipulation and order to 11/28/18 at 11:00 a.m. No appearances are required on 11/14/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Shabnam Mesachi

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#8.10 Cont'd hearing re: Debtors' objection to amended claim no. 9 and motion to estimate claim for purposes of voting and distribution
fr. 10/24/18, 11/7/18

Docket 103

Tentative Ruling:

Revised tentative ruling as of 11/13/18. Off calendar. Continued by stipulation and order to 11/28/18 at 11:00 a.m. No appearances are required on 11/14/18.

Prior tentative ruling as of 11/5/18. Off calendar. Continued on the court's own motion to 11/14/18 at 11:00 a.m. No appearances are required on 11/7/18.

Prior tentative ruling. Continued on the court's own motion by written order to 11/7/18 at 10:00 a.m. No appearances are required on 10/24/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#9.00 Hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 56

Tentative Ruling:

Updated tentative ruling as of 11/13/18. Off calendar. Motion resolved by stipulation and order. No appearances are required on 11/14/18.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

2:18-13300 The 17/21 Group, LLC

Chapter 11

#10.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/16/18, 9/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/9/18. No tentative ruling on the merits. Appearances are required on 11/14/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. Regarding debtor's proposed claims bar dates, the court requires at least 60 days notice to nongovernmental creditors, and debtor's proposed bar date for governmental creditors of 7/30/18 is inconsistent with 11 U.S.C. 502(b)(9) providing that claims of governmental units are timely if filed before 180 days after the order for relief. Otherwise, no tentative ruling on the merits. Appearances are required on 5/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

The 17/21 Group, LLC

Represented By
Brett Ramsaur

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

2:18-17609 Samuel Young Oh

Chapter 11

#11.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/22/18

Docket 1

***** VACATED *** REASON: Matter converted to chapter 13 case and
reassigned to Judge Sandra Klein per order entered on 11/2/18-mb.**

Tentative Ruling:

The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/22/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Samuel Young Oh

Represented By
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

11:00 AM

2:18-20547 DASK LLC

Chapter 11

#12.00 Hearing re: Motion under 11 U.S.C. §1112(b)(1) to convert, dismiss or appoint a chapter 11 trustee with an order directing payment of quarterly fees and for judgment thereon

Docket 15

***** VACATED *** REASON: Case dismissed per order entered on 11/9/18
-pp.**

Tentative Ruling:

Off calendar. The status conference is moot because the case has been dismissed. No appearances are necessary.

Party Information

Debtor(s):

DASK LLC

Represented By
Hayk Grigoryan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#13.00 Cont'd pretrial conference re: Debtor's motion to disallow claims of Cindy S. Magleby (claim numbers 13, 7, and 12) fr. 8/1/18, 8/8/18, 8/27/18

Docket 390

***** VACATED *** REASON: Cont'd from 11/14/18 to 11/29/18 at 1:30 p.m. per order entered on 11/13/18-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 11/13/18. Off calendar. Continued on the court's own motion by separate order to 11/29/18 at 1:30 p.m. No appearances are required on 11/14/18.

Updated tentative ruling as of 8/7/18. The parties filed unilateral pretrial statements rather than a joint pretrial statement. Before the court imposes monetary sanctions of \$250 against the culpable party/ies for failing to file a joint pretrial statement as required by LBR 7016-1, the court will afford the parties an opportunity to complete and file a joint pretrial statement as required and intends to continue the pretrial conference for this purpose. Appearances are required on 8/8/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed the unilateral pretrial statements of the parties, which are incomplete and inadequate and will not be approved. The "statements" should be a joint pretrial stipulation, and they lack the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court notes that claimant has a pending motion for abstention on her claims set for hearing on 3/21/18. If the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

1:30 PM

CONT...

Curtis C. Magleby

Chapter 11

court abstains, this itself will not postpone plan confirmation proceedings because the parties may request the court to estimate the claims for voting on plan confirmation. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. If claimant believes that the court should permissively abstain from hearing this contested matter, then she should bring a proper motion for abstention rather than raising the request in her opposition to the objection. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). However, it seems to the court that it could properly hear the objection to claim as a core proceeding under 28 U.S.C. 157(b)(2)(B) and not abstain under *In re Conejo Enterprises, Inc.*, 96 F.3d 346 (9th Cir. 1996). Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#14.00 Cont'd pretrial conference re: Renewed motion for order disallowing claims of Fried & Goldsman, APLC (claim no. 15) and Taylor and Liberman (claim no. 16) fr. 8/1/18, 8/8/18, 8/27/18

Docket 394

***** VACATED *** REASON: Cont'd from 11/14/18 to 11/29/18 at 1:30 p.m. per order entered on 11/13/18-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 11/13/18. Off calendar. Continued on the court's own motion by separate order to 11/29/18 at 1:30 p.m. No appearances are required on 11/14/18.

Updated tentative ruling as of 8/7/18. Because the parties filed their joint pretrial statement late, the joint pretrial statement is voluminous and the parties in the related contested matter of Debtor's objection to the claim of Cindy Magleby, claimants' client, filed unilateral pretrial statements rather than a joint pretrial statement as required, the court intends to continue the pretrial conference for this matter to be coordinated with the pretrial conference for the contested matter of Debtor's objection to the claim of Cindy Magleby and to allow additional time for review of the joint pretrial statement. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#15.00 Cont'd hearing re: Disclosure statement
fr. 8/1/18, 8/8/18, 8/27/18

Docket 174

***** VACATED *** REASON: Cont'd from 11/14/18 to 11/29/18 at 1:30
p.m. per order entered on 11/13/18-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 11/13/18. Off calendar.
Continued on the court's own motion by separate order to 11/29/18 at 1:30
p.m. No appearances are required on 11/14/18.

No updated tentative ruling as of 8/7/18. Appearances are required on
8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. Off calendar. The court on its own motion
continues the hearing to 8/8/18 at 11:00 a.m. No appearances are required
on 8/1/18.

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits.
Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but
counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court has reviewed debtor's status
update and request to continue the status conference. No tentative ruling on
the merits. Appearances are required on 3/7/18 to discuss scheduling and
the the impact of treatment on creditor Cindy Magleby's claims for plan voting
and abstention among other things, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 2/5/18. The court notes that debtor filed a second amended disclosure statement on 1/30/18, 8 days before the further hearing on 2/7/18. Creditor Banc of California filed a response on 1/31/18 objecting to debtor's noticing approval of the amended disclosure statement for the hearing on 2/7/18, citing the court's oral ruling that creditors should be given 3 weeks notice of hearing on an amended disclosure statement. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, including adequate time for creditors to respond to debtor's second amended disclosure statement and a scheduling of a further hearing on debtor's second amended disclosure statement to allow for review and comment by creditors and interested parties, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. The court has reviewed debtor's status report. Appearances are required on 11/29/17 to discuss scheduling of further proceedings, including filing date for debtor's second amended disclosure statement, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. Debtor in his status report filed on 2/22/17 indicated that he and his counsel are working on revising and amending the original disclosure statement to include a revised and updated liquidation analysis and taking into account resolutions of claims of creditors, including First Republic Bank (however, the court notes that it disapproved without prejudice the stipulation resolving claim of First Republic Bank in light of objection of creditor Cindy Magelby since it appears that debtor will need to bring a FRBP 9019 motion). Appearances are required on 3/1/17 regarding scheduling of further proceedings for an amended and revised disclosure statement, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

#16.00 Cont'd pretrial conference re: Complaint to recover property of the estate and for turnover of property of the estate pursuant to section 542(a) of the United States Bankruptcy Code, 11 U.S.C. §542(a)
fr. 8/1/18, 8/8/18, 8/27/18

Docket 1

***** VACATED *** REASON: Cont'd from 11/14/18 to 11/29/18 at 1:30 p.m. per order entered on 11/13/18-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 11/13/18. Off calendar. Continued on the court's own motion by separate order to 11/29/18 at 1:30 p.m. No appearances are required on 11/14/18.

Prior tentative ruling as of 8/7/18. The parties filed unilateral pretrial statements rather than a joint pretrial statement. Before the court imposes monetary sanctions of \$250 against the culpable party/ies for failing to file a joint pretrial statement as required by LBR 7016-1, the court will afford the parties an opportunity to complete and file a joint pretrial statement as required and intends to continue the pretrial conference for this purpose. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed defendant's unilateral pretrial statement, which is incomplete and inadequate and will not be approved. The "statement" should be a joint pretrial stipulation, and it lacks the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

1:30 PM

CONT...

Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on
11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on
9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on
7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but
counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits.
Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits.
Appearances are required on 1/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits.
Appearances are required on 11/16/16, but counsel may appear by
telephone.

Prior tentative ruling. The court has reviewed the joint status report. No
tentative ruling on the merits. Appearances are required on 9/13/16, but
counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 14, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Defendant(s):

Cindy Magleby

Pro Se

Plaintiff(s):

Curtis C. Magleby

Represented By
Alan F Broidy

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 15, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#1.00 Hearing re: Debtor's emergency motion for entry of an interim order: (I) authorizing the debtor to (A) obtain post-petition financing pursuant to 11 U.S.C. §§ 105, 361, 362 And 364, and (B) utilize cash collateral pursuant to 11 U.S.C. §§ 361, 362, 363 And 364; (II) granting adequate protection pursuant to 11 U.S.C. §§ 361, 362, 363 and 364; (III) scheduling a final hearing pursuant to Bankruptcy Rules 4001(b) And 4001(c); and (IV) granting related relief

Docket 2

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 15, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#2.00 Hearing re: Debtor's emergency motion for authority to (1) pay pre-petition priority wages and related withholding and payroll taxes and (2) honor pre-petition employment and benefit policies

Docket 9

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 15, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#3.00 Hearing re: Debtor's emergency motion for entry of an order authorizing debtor to implement key employee incentive plan in the ordinary course of business

Docket 11

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 15, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#4.00 Hearing re: Debtor's emergency motion for entry of an order authorizing debtor to provide adequate assurance of future payment to utility companies pursuant to 11 U.S.C. § 366

Docket 14

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 21, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#1.00 Cont'd hearing re: Debtor's emergency motion for entry of an interim order: (I) authorizing the debtor to (A) obtain post-petition financing pursuant to 11 U.S.C. §§ 105, 361, 362 and 364, and (B) utilize cash collateral pursuant to 11 U.S.C. §§ 361, 362, 363 and 364; (II) granting adequate protection pursuant to 11 U.S.C. §§ 361, 362, 363 and 364; (III) scheduling a final hearing pursuant to Bankruptcy Rules 4001(b) and 4001(c); and (IV) granting related relief
fr. 11/15/18

Docket 2

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

No tentative ruling will be issued for the motion heard on shortened notice. Appearances are required on 11/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 21, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#2.00 Cont'd hearing re: Debtor's emergency motion for entry of an order authorizing debtor to implement key employee incentive plan in the ordinary course of business
fr. 11/15/18

Docket 11

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

No tentative ruling will be issued for the motion heard on shortened notice.
Appearances are required on 11/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 21, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#3.00 Cont'd hearing re: Debtor's emergency motion for entry of an order authorizing debtor to provide adequate assurance of future payment to utility companies pursuant to 11 U.S.C. § 366 fr. 11/15/18

Docket 14

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 21, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#4.00 Hearing
re: Debtor's emergency motion for an order: (1) authorizing the continued use of the debtor's cash management system, (2) authorizing the maintenance of the debtor's pre-petition bank accounts, and (3) requiring banks to release administrative holds and/or freezes on the debtor's pre-petition bank accounts

Docket 63

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#1.00 Hearing re: Motion for relief from stay
(Westridge Lending Fund, LLC VS Debtor)

Docket 541

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See *In re Dorsey*, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:17-24369 Marvin Abel Sican Roca and Angelica Maria Rodriguez

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Wells Fargo Bank, N.A. VS Debtors)

Docket 47

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Marvin Abel Sican Roca

Represented By
Daniel King

Joint Debtor(s):

Angelica Maria Rodriguez

Represented By
Daniel King

Movant(s):

Wells Fargo Bank, N.A. dba Wells

Represented By
Jennifer H Wang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

CONT... Marvin Abel Sican Roca and Angelica Maria Rodriguez

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Represented By
Zi Chao Lin

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-16237 Alvin Yap Edillor

Chapter 7

#3.00 Cont'd hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)
fr. 11/6/18

Docket 31

***** VACATED *** REASON: Notice of withdrawal of motion filed on
11/6/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Off calendar. Motion withdrawn by notice filed on 11/6/18. No appearances are necessary.

Prior tentative ruling. No tentative ruling in light of debtor's opposition to the motion. Appearances are required on 11/6/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Alvin Yap Edillor

Represented By
Philomena N Nzegge

Trustee(s):

Wesley H Avery (TR)

Represented By
Robert A Hessling

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-18229 Billy Redd

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Rama NPL 1, LLC VS Debtor)

Docket 36

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4), including stay annulment, to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for relief under 11 U.S.C. 362(d)(2) for lack of evidentiary support of proving debtor's lack of equity in the subject property under 11 U.S.C. 362(g)(1) since the moving papers show positive equity (also no proof that debtor is not otherwise on title). Deny request for extraordinary relief in paragraph 3 because debtor was not the borrower in the loan documents. Deny extraordinary relief in paragraph 8 for lack of evidentiary and/or legal support. *In re Van Ness*, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See *In re Dorsey*, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Billy Redd Pro Se

Trustee(s):

Wesley H Avery (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-18712 Ben B. Safyari

Chapter 11

#5.00 Hearing re: Motion for relief from stay
(JPMorgan Chase Bank, N.A. VS Debtor)

Docket 51

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny stay relief under 11 U.S.C. 362(d)(2) for insufficient evidentiary showing of lack of equity. Deny request for extraordinary relief in paragraph 3 since debtor is not the borrower in the loan documents. Deny request for extraordinary relief in paragraphs 4 and 14 for lack of evidentiary and/or legal support. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Ben B. Safyari

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-18820 Richard Clyde Hair and Carol Ann Hair

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Bank of New York Mellon Trust Company VS Debtors)

Docket 17

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Richard Clyde Hair

Represented By
Barry E Borowitz

Joint Debtor(s):

Carol Ann Hair

Represented By
Barry E Borowitz

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-20432 Don Gonzalez

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(Citimortgage, Inc. VS Debtor)

Docket 12

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4), including declaratory relief confirming that a stay is not in effect, to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does make a finding of bad faith as to debtor. See *In re Dorsey*, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Party Information

Debtor(s):

Don Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-20539 Rodolfo L. Bautista and Zenaida N. Bautista

Chapter 7

#8.00 Hearing re: Motion for relief from stay
(Nissan Motor Acceptance Corporation VS Debtors)

Docket 10

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition, including debtor's notice of non-opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Appearances are optional on 11/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rodolfo L. Bautista

Represented By
Richard A Loa

Joint Debtor(s):

Zenaida N. Bautista

Represented By
Richard A Loa

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

CONT... Rodolfo L. Bautista and Zenaida N. Bautista

Chapter 7

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-20627 Carlos Javier Garcia

Chapter 7

#9.00 Hearing re: Motion for relief from stay
(Santander Consumer USA VS Debtor)

Docket 12

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Carlos Javier Garcia

Represented By
D Justin Harelik

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-20821 Tony Yu Feng

Chapter 7

#10.00 Hearing re: Motion for relief from stay
(Financial Services Vehicle Trust VS Debtor)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Tony Yu Feng

Represented By
Sam X J Wu

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-21796 Pierre Wasolua Nsilu

Chapter 7

#11.00 Hearing re: Motion for relief from stay
(Wilmington Savings Fund Society VS Debtor)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Pierre Wasolua Nsilu

Represented By
Brad Weil

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-22072 Tae Kyong Kang

Chapter 7

#12.00 Hearing re: Motion for relief from stay
(JPMorgan Chase Bank N.A. VS Debtor)

Docket 13

Tentative Ruling:

The court does not see the factual and/or legal bases for movant's requests for extraordinary relief in paragraphs 8, 10 and 11 of the prayer for relief in the motion, and the court will require movant to file a supplemental brief to show that there are reasonable bases in fact and law for requesting such relief. See *In re Van Ness*, 399 B.R. 897 (Bankr. E.D. Cal. 2009). Just checking off boxes on the court form motion is not a demonstration of an adequate factual or legal basis for requesting such relief. In order for the court to grant such relief, the court will need to determine that there are factual and legal bases for such relief, which are not evident in the motion. The supplemental brief will be due on 12/4/18, one week before a continued hearing on 12/11/18 at 10:30 a.m. Otherwise, no tentative ruling. Appearances are required on 11/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Tae Kyong Kang	Pro Se
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Trustee(s):

Peter J Mastan (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-22114 Nikolaus Oliver Wilcox

Chapter 7

#13.00 Hearing re: Motion for relief from stay
(2018-3 IH Borrower LP VS Debtor)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Nikolaus Oliver Wilcox

Pro Se

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-22200 Hugo Vizcarra and Evelyn Thelma Vizcarra

Chapter 7

#14.00 Hearing re: Motion for relief from stay
(Bank of the West VS Debtors)

Docket 9

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Hugo Vizcarra

Represented By
Steven Ibarra

Joint Debtor(s):

Evelyn Thelma Vizcarra

Represented By
Steven Ibarra

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-22380 Abraham Herberto Cruz Ramirez

Chapter 7

#15.00 Hearing re: Motion for relief from stay
(Toyota Motor Credit Corporation VS Debtor)

Docket 8

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Abraham Herberto Cruz Ramirez

Represented By
Jasmine Firooz

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-22441 John C Halfmann

Chapter 7

#16.00 Hearing re: Motion for relief from stay
(Herbert Trust #524, PDQ Investments, LLC VS Debtor)

Docket 8

Tentative Ruling:

Deny stay relief motion as moot because the case was dismissed on 11/13/18. Appearances are optional on 11/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

John C Halfmann

Pro Se

Movant(s):

Herbert Trust #524, PDQ

Represented By
Gilbert R Yabes

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

2:18-21538 Salvador Enrique Ramos

Chapter 7

#16.10 Cont'd hearing re: Motion for relief from stay
(Breckenridge Property Fund 2016, LLC VS Debtor)
fr. 11/13/18

Docket 7

Tentative Ruling:

Updated tentative ruling as of 11/26/18. After consideration of movant's supplemental brief requested by the court, grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1), including annulment of stay, to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Grant movant in rem relief from stay pursuant to 11 U.S.C. 362(d)(1) and 105(a) for the reasons stated in the moving papers and for lack of timely written opposition to prevent an abuse of process. Deny stay relief under 11 U.S.C. 362(d)(2) for lack of sufficient evidentiary showing of debtor's lack of equity in the subject property. Deny stay relief under 11 U.S.C. 362(d)(4) because movant as a subsequent purchaser lacks standing to seek relief under this statute. *In re Ellis*, 523 B.R. 673 (9th Cir. BAP 2014). The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Prior tentative ruling. The court does not see the factual and/or legal bases for movant's requests for extraordinary relief in paragraphs 4, 8, 9, 10 and 11 of the prayer for relief in the motion, and the court will require movant to file a supplemental brief to show that there are reasonable bases in fact and law for requesting such relief. See *In re Van Ness*, 399 B.R. 897 (Bankr. E.D. Cal.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

CONT... **Salvador Enrique Ramos**
2009).

Chapter 7

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 4 requesting confirmation that there is no stay in effect. See, e.g., 11 U.S.C. 362(c).

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 8 requesting confirmation that the court can order eviction of occupants of the subject property. There is persuasive contrary authority not addressed in the moving papers. In re Van Ness, 399 B.R. at 907.

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 9 requesting in rem stay relief under 11 U.S.C. 362(d)(4). There is persuasive, if not controlling, contrary authority not addressed in the moving papers indicating that a purchaser at a foreclosure sale like movant lacks standing to seek in rem relief under 11 U.S.C. 362(d) (4). In re Ellis, 523 B.R. 673, 678-680 (9th Cir. BAP 2014).

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 10 requesting declaratory relief that any stay relief order is binding and effective in any bankruptcy case commenced by or against any debtor who claims an interest in the property for 180 days. There is contrary authority not addressed in the moving papers. In re Van Ness, 399 B.R. at 904-907.

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 10 requesting declaratory relief that any stay relief order is binding and effective in any bankruptcy case commenced by or against any debtor who claims an interest in the property for 180 days. There is contrary authority not addressed in the moving papers. In re Van Ness, 399 B.R. at 904-907.

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 11 requesting any stay relief order is binding and effective in any future bankruptcy case, no matter who the debtor is. There is persuasive contrary authority not addressed in the moving papers.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

10:30 AM

CONT... Salvador Enrique Ramos

Chapter 7

In re Van Ness, 399 B.R. at 905-907.

Movant does not provide the legal and/or factual support for the request for stay annulment because it has failed to show that the legal standards of National Environmental Waste Corp. v. City of Riverside (In re National Environmental Waste Corp.), 129 F.3d 1052 (9th Cir. 1997) and In re Gasprom, Inc., 500 B.R. 598 (9th Cir. BAP 2013) have been met.

Movant alleges that the bankruptcy petition was filed in bad faith, but there is no indication that this is the situation here because there is no showing of any bad faith in the petition, but only that there was a postpetition transfer to debtor by the borrower, which is not an act by the debtor. Debtor in his opposition apparently disputes that the bankruptcy petition was filed in bad faith, and it appears on this record that he is right since the indications that this is a "hijacked" bankruptcy case, that is, a third party is using debtor's bankruptcy case for a bad purpose, specifically, using the automatic stay in debtor's bankruptcy case to thwart foreclosure by movant. The court is thus inclined not to make a finding of bad faith as to debtors. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

In order for the court to grant extraordinary relief requested by movant, the court will need to determine that there are factual and legal bases for such relief, which are not evident in the motion. The supplemental brief will be due on 11/20/18, one week before a continued hearing on 11/27/18 at 10:30 a.m. Otherwise, no tentative ruling on the merits.

Appearances are required on 11/13/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Salvador Enrique Ramos

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01083 Diamond, Chapter 7 Trustee, Plaintiff v. Rana

- #17.00** Cont'd status conference re: Complaint (1) To avoid and recover preferential transfers;
(2) To avoid and recover fraudulent or avoidable transfers; (3) For imposition
of constructive trust; (4) For unjust enrichment; (5) For turnover; and
(6) To disallow claims
fr. 9/5/17, 4/4/18, 7/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/3/18. Off calendar. The court has reviewed the joint status report stating that the matter is settled and requesting a continuance of 90 to 120 days. The court on its own motion continues the status conference to 7/31/18 at 1:30 p.m., and a joint status report is due on 7/24/18. No appearances are required on 4/4/18, and counsel for plaintiff to notify counsel for defendant of the continuance.

No updated tentative ruling as of 9/1/17. Appearances are required on 9/5/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report advising that the matter is being settled. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Off calendar. The court has reviewed the joint status report requesting a 60 day continuance of the status conference

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

for the parties to consummate their settlement. The court on its own motion continues the status conference to 7/25/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 5/23/17.

Revised tentative ruling as of 3/20/17. Off calendar. The court has reviewed the joint status report as well as the supplement filed on 3/17/17 reporting that the parties reached a settlement during mediation and requesting a 60 day continuance of the status conference. The court on its own motion continues the status conference to 5/23/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling. Set discovery cutoff date of 12/31/16 and a further status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation, parties to submit request for selection of mediator and alternate by 7/31/16, and complete mediation by 1/17/16. If the parties agree to these dates, appearances are optional on 4/26/16, and plaintiff to submit proposed scheduling order within 7 days of hearing if the parties agree to these dates. If the parties do not agree to these rulings and dates or if parties wish to discuss status of matter at status conference, appearances are required on 4/26/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Aj Rana

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Trustee(s):

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01103 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#18.00 Cont'd pretrial conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) for Imposition of Constructive Trust; (3) for Unjust Enrichment; (4) for Turnover; and (5) to Disallow Claims fr. 3/20/18, 5/22/18, 7/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/21/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings, including setting discovery cutoff, pretrial conference and trial dates, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that the parties are discussing settlement and intend to agree to a 90 day continuance of the discovery cutoff date at defendant's request. No tentative ruling on the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

CONT... **Corona Care Convalescent Corporation** **Chapter 7**

merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Michael Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01104 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#19.00 Cont'd status conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 3/20/18, 5/22/18, 7/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/21/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings in light of defendant's pending Chapter 7 bankruptcy case, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. Updated tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that counsel for defendant has not responded to counsel for trustee's inquiries about preparing and filing a joint status report. No tentative ruling on the merits. Appearances are required on 4/25/17, but

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

CONT... **Corona Care Convalescent Corporation**
counsel may appear by telephone.

Chapter 7

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Renato Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01105 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#20.00 Cont'd status conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 3/20/18, 5/22/18, 7/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/21/18. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. the court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings in light of defendant's pending Chapter 7 bankruptcy case, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. Updated tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that counsel for defendant has not responded to counsel for trustee's inquiries about preparing and filing a joint status report. No tentative ruling on the merits. Appearances are required on 4/25/17, but

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

CONT... **Corona Care Convalescent Corporation**
counsel may appear by telephone.

Chapter 7

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Felicidad Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01112 Diamond, Chapter 7 Trustee, Plaintiff v. Ferrer

#21.00 Cont'd pretrial conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims
fr. 3/20/18, 5/22/18, 7/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/21/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. The court has reviewed the joint status report stating that the matter is being settled. No tentative ruling on the merits. Appearances are required on 3/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. The court has reviewed plaintiff's unilateral status report. Appearances are required on 10/24/17 to discuss scheduling of further proceedings, including setting discovery cutoff, pretrial conference and trial dates, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. The court has reviewed trustee's unilateral status report filed after close of business on 4/21/17 stating that the parties are discussing settlement and intend to agree to a 90 day continuance

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation Chapter 7

of the discovery cutoff date at defendant's request. No tentative ruling on the merits. Appearances are required on 4/25/17, but counsel may appear by telephone.

Prior tentative ruling. At the status conferences on related party matters on 5/3/16, counsel for the parties represented on the record that they were agreeable to the dates set in the related matters and would submit a stipulation and proposed scheduling order, which would incorporate the dates set in those other matters.

Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Appearances are optional on 5/3/16, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Mariam Ferrer

Pro Se

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01158 Diamond v. Vital Rehab Services, Inc.

#22.00 Cont'd status conference re: Complaint: (1) To avoid and recover post petition transfers; (2) For imposition of constructive trust; (3) For unjust enrichment; (4) For turnover; and (5) To disallow claims
fr. 9/5/17, 4/4/18, 7/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/3/18. Off calendar. The court has reviewed the joint status report stating that the matter is settled and requesting a continuance of 90 to 120 days. The court on its own motion continues the status conference to 7/31/18 at 1:30 p.m., and a joint status report is due on 7/24/18. No appearances are required on 4/4/18, and counsel for plaintiff to notify counsel for defendant of the continuance.

No updated tentative ruling as of 9/1/17. Appearances are required on 9/5/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report advising that the matter is being settled. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Off calendar. The court has reviewed the joint status report requesting a 60 day continuance of the status conference for the parties to consummate their settlement. The court on its own motion continues the status conference to 7/25/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 5/23/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Revised tentative ruling as of 3/20/17. Off calendar. The court has reviewed the joint status report as well as the supplement filed on 3/17/17 reporting that the parties reached a settlement during mediation and requesting a 60 day continuance of the status conference. The court on its own motion continues the status conference to 5/23/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 9/30/16 and to complete mediation by 1/17/17. Appearances are required on 5/24/16, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Vital Rehab Services, Inc.

Pro Se

Plaintiff(s):

Richard K. Diamond

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:17-16232 Hye Jung Oh

Chapter 7

Adv#: 2:17-01408 Neman Brothers & Associates, Inc., a California co v. Oh

#23.00 Cont'd status conference re: Complaint to determine dischargeability of a debt and objection to discharge
fr. 4/17/18, 7/31/18, 10/23/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/22/18. No tentative ruling on the merits. Appearances are required on 10/23/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 7/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/16/18. No tentative ruling on the merits. Appearances are required on 4/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. The status conference will be conducted on the 2:30 p.m. calendar with the hearing on plaintiff's motion for default judgment. Appearances are required at 2:30 p.m., not 1:30 p.m. No tentative ruling on the merits.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report. No tentative ruling on the merits. Appearances are required on 10/24/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Hye Jung Oh

Represented By
Young K Chang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

CONT... Hye Jung Oh

Chapter 7

Defendant(s):

Hye Jung Oh

Pro Se

Plaintiff(s):

Neman Brothers & Associates, Inc.,

Represented By
Nico N Tabibi

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:17-17863 Sharon Kelly

Chapter 7

Adv#: 2:17-01415 Gross v. Kelly

#24.00 Cont'd status conference re: Complaint to determine non-dischargeability of debt pursuant to 11 U.S.C. §§ 523(a)(5) and (15) fr. 5/30/18, 7/17/18, 9/18/18

Docket 1

***** VACATED *** REASON: Judgment entered per order entered on 10/9/18-mb.**

Tentative Ruling:

Off calendar. The status conference is moot because judgment was entered on 10/9/18. No appearances are necessary.

Party Information

Debtor(s):

Sharon Kelly

Represented By
Richard T Baum

Defendant(s):

Sharon Kelly

Pro Se

Plaintiff(s):

Mark P. Gross

Represented By
Gary A Starre

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01289 Grand View Financial, LLC v. Ladd et al

#25.00 Status conference re: Complaint for (1) turnover of property of the estate and
(2) injunctive relief

Docket 1

Tentative Ruling:

The court has reviewed the joint status report of the parties. No tentative ruling on the merits. Appearances are required on 11/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Danna Ladd

Pro Se

Darren Ladd

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:17-24369 Marvin Abel Sican Roca

Chapter 7

Adv#: 2:18-01047 Wesley H. Avery, Chapter 7 Trustee of the Bankrupt v. Sican Roca et al

#26.00 Cont'd status conference re: Trustee's complaint for: (1-3) avoidance of fraudulent transfer; (4) recovery of avoided transfer; (5) a declaratory judgment quieting title to real property; (6) imposition of a constructive trust; (7) accounting; (8) turnover; (9) injunctive relief; (10) sale of a property in which a non-debtor asserts an interest; and (11) denial of discharge
fr. 4/17/18, 6/26/18, 9/18/18

Docket 1

***** VACATED *** REASON: Adversary dismissed per order entered on 9/28/18-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by order entered on 9/28/18.
No appearances are necessary.

Party Information

Debtor(s):

Marvin Abel Sican Roca

Represented By
Daniel King

Defendant(s):

Marvin Abel Sican Roca

Pro Se

Angelica Maria Rodriguez

Pro Se

Oscar L. Sican

Pro Se

Angelica Sican Martinez

Pro Se

Bayview Loan Servicing, LLC.

Pro Se

Joint Debtor(s):

Angelica Maria Rodriguez

Represented By
Daniel King

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

CONT... Marvin Abel Sican Roca

Chapter 7

Plaintiff(s):

Wesley H. Avery, Chapter 7 Trustee

Represented By
Zi Chao Lin
Adjoa Anim-Appiah

Trustee(s):

Wesley H Avery (TR)

Represented By
Zi Chao Lin

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:18-13057 Anna J Bowes

Chapter 7

Adv#: 2:18-01227 Goodrich, Chapter 7 Trustee v. Bowes

#27.00 Hearing re: Motion for default judgment

Docket 16

Tentative Ruling:

No tentative ruling as of 11/26/18. Appearances are required on 11/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Anna J Bowes

Represented By
Roxanne Bonar

Defendant(s):

Tracy Steven Bowes

Pro Se

Plaintiff(s):

David M. Goodrich, Chapter 7

Represented By
Wesley H Avery

Trustee(s):

David M Goodrich (TR)

Represented By
Wesley H Avery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:18-13057 Anna J Bowes

Chapter 7

Adv#: 2:18-01227 Goodrich, Chapter 7 Trustee v. Bowes

#28.00 Cont'd status conference re: Trustee's complaint for: (1) a declaratory judgment quieting title to real property; (2) turnover; (3) injunctive relief; (4) permission to sell real property in which non-debtor assert an interest [11 U.S.C. §§ 1105(a), 363(h) and 542; 28 U.S.C. § 2201(a)]
fr. 9/18/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. Appearances are required on 9/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Anna J Bowes

Represented By
Roxanne Bonar

Defendant(s):

Tracy Steven Bowes

Pro Se

Plaintiff(s):

David M. Goodrich, Chapter 7

Represented By
Wesley H Avery

Trustee(s):

David M Goodrich (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

CONT...

Anna J Bowes

Wesley H Avery

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:18-17205 Avi Cohen

Chapter 7

Adv#: 2:18-01296 Swift Financial, LLC fka Swift Financial Corporati v. Cohen

- #29.00** Status conference re: Complaint for non-dischargeability for: 1) debts incurred through false pretenses, false representation or actual fraud under 11 U.S.C. §523(a)(2)(A); 2) debts incurred through false statements respecting debtor's financial condition under 11 U.S.C. §523(a)(2)(B); 3) debts incurred through conversion under 11 U.S.C. §523(a)(4); 4) debts incurred through willful and malicious injury to property under 11 U.S.C. §523(a)(6)

Docket 1

Tentative Ruling:

Set a discovery cutoff date of 5/31/19 and a post-discovery status conference on 6/11/19 at 1:30 p.m. with a joint status report due on 6/4/19. Order the matter to mediation, and the parties to file a selection of mediator and alternate mediator by 1/31/19 and complete mediation by 6/11/19. Appearances are required on 11/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website. Plaintiff to submit a proposed scheduling order within 7 days of the status conference.

Party Information

Debtor(s):

Avi Cohen

Represented By
Joshua L Sternberg

Defendant(s):

Avi Cohen

Pro Se

Plaintiff(s):

Swift Financial, LLC fka Swift

Represented By
Daren M Schlecter

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:18-18712 Ben B. Safyari

Chapter 11

Adv#: 2:18-01302 Klein et al v. Safyari et al

#30.00 Status conference re: Complaint for: 1. determination of nondischargeability (11 U.S.C. §523(a)(2)(A); 2. determination of nondischargeability (11 U.S.C. §523(a)(4); and, 3. recovery of property (F.R.B.P. 9001(1))

Docket 1

Tentative Ruling:

Set a discovery cutoff date of 4/30/19, order the matter to mediation, the parties to select a mediator and alternate by 12/31/18 and complete mediation by 5/14/19 and set a post-discovery status conference for 5/14/19 at 1:30 p.m. and deadline for filing a further joint status report of 5/7/19. Appearances are required on 11/27/18, but counsel may appear by telephone. Plaintiff to lodge a proposed scheduling order within 7 days of hearing.

Party Information

Debtor(s):

Ben B. Safyari

Represented By
Raymond H. Aver

Defendant(s):

ADY PROPERTY, LLC a California

Pro Se

Ben B. Safyari

Pro Se

Plaintiff(s):

MJK 18, LLC a Nevada limited

Pro Se

Joe Klein

Represented By
Niv V Davidovich

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:18-18999 John Donald Marshall

Chapter 7

#31.00 Cont'd order to show cause re debtor's failure to file Certificate of Credit Counseling fr. 9/11/18, 10/23/18

Docket 10

***** VACATED *** REASON: Matter cont'd to 1/9/19 per order entered on 10/29/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Off calendar. Continued to 1/9/19 at 1:30 p.m. by prior order entered on 10/29/18. No appearances are required on 11/27/18.

Prior tentative ruling as of 10/22/18. While debtor has filed a certificate of completion of financial management course, he still has not filed a certification of completion of credit counseling, which is a separate requirement. Appearances are required on 10/23/18.

No tentative ruling as of 9/10/18. While debtor has filed a certificate of completion of financial management course, he still has not filed a certification of completion of credit counseling, which is a separate requirement. Appearances are required on 9/11/18.

Party Information

Debtor(s):

John Donald Marshall	Pro Se
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Trustee(s):

Heide Kurtz (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:18-21200 Larry Scott Charlton

Chapter 7

#32.00 Order to show cause re debtor's failure to file a Certificate of Credit Counseling

Docket 10

***** VACATED *** REASON: Certificate of Credit Counseling filed on
10/23/18-mb.**

Tentative Ruling:

Off calendar. Debtor filed the required certificate of credit counseling, and the court discharges the order to show cause and vacates the hearing. No appearances are required on 11/27/18.

Party Information

Debtor(s):

Larry Scott Charlton

Represented By
Elena Steers

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

1:30 PM

2:18-22577 Thomas S Kim

Chapter 7

#33.00 Order to show cause why debtor failed to file a Certificate of Credit Counseling

Docket 10

Tentative Ruling:

Off calendar. The hearing on the order to show cause is moot because the case was dismissed. No appearances are required on 11/27/18.

Party Information

Debtor(s):

Thomas S Kim

Pro Se

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:00 PM

2:12-35473 Amergence Technology Inc

Chapter 7

Adv#: 2:14-01500 Rund Chapter 7 Trustee v. Chen et al

#34.00 Pretrial conference re: Complaint to: (1) Avoid and Recover Preferential Transfers; (2) Avoid and Recover Fraudulent Transfers; and for (3) Breach of Fiduciary Duty fr. 10/17/17, 11/28/17, 5/29/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. The court has reviewed the joint status report and intends to discuss scheduling of further proceedings in this adversary proceeding, specifically to discuss whether they can be coordinated with further proceedings in the related adversary proceedings involving debtor's attorneys and Microland. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 8/31/15 and set a post-discovery status conference for 9/29/15 at 1:30 p.m. The parties are ordered to conduct FRBP 7026 conference by 3/31/15. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 3/31/15 and to complete mediation by 9/29/15. Appearances are required on 2/3/15, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Amergence Technology Inc

Represented By
Ron Bender
Mark H Mcguire

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:00 PM

CONT... Amurgence Technology Inc

Chapter 7

Irwin M Wittlin

Defendant(s):

Yian Chen	Pro Se
Shavonne Tran	Pro Se
Doron Stephen	Pro Se
DSI Computers, Inc., a California	Pro Se

Plaintiff(s):

Jason Rund Chapter 7 Trustee	Represented By Corey R Weber
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Trustee(s):

Jason M Rund (TR)	Represented By Steven T Gubner Corey R Weber Michael W Davis
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Jason M Rund (TR)	Pro Se
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U.S. Trustee(s):

United States Trustee (LA)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:00 PM

2:12-35473 Amergence Technology Inc

Chapter 7

Adv#: 2:14-01502 Rund, Chapter 7 Trustee v. Microland Electronics Corporation, a California

#35.00 Pretrial conference re: Complaint to: 1. Avoid Preferential Transfers; 2. Avoid Fraudulent Transfers; 3. Recover Preferential and Fraudulent Transfers; 4. Aiding and Abetting Breach of Fiduciary Duty; 5. Intentional Interference with Prospective Economic Advantage; and 6. Negligent Interference with Prospective Economic Advantage [11 U.S.C. §§544, 547, 548(a)(1)(A) and (B), 550(a)(1) and (2) and California Civil Code §3439, et seq.]
fr. 10/17/17, 11/28/17, 5/29/18

Docket 1

***** VACATED *** REASON: Cont'd from 11/27/18 to 2/26/19 at 2:00 p.m.
per stip & order entered on 8/7/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Off calendar. Continued by stipulation and order to 2/26/19 at 2:00 p.m. No appearances are required on 11/27/18.

Prior tentative ruling as of 11/27/17. No tentative ruling on the merits. The court has reviewed the joint status report and intends to discuss scheduling of further proceedings in this adversary proceeding, specifically to discuss whether they can be coordinated with further proceedings in the related adversary proceedings involving debtor's insiders and attorneys. Appearances are required on 11/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. No tentative ruling on the merits. Appearances are required on 8/15/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/10/17. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 4/11/17 to discuss scheduling of further proceedings, including possible coordination with litigation in Rund v. Lee adversary proceeding, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:00 PM

CONT... **Amergence Technology Inc**

Chapter 7

Prior tentative ruling. Set discovery completion date of 9/30/15 and set a post-discovery status conference for 10/27/15 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 3/31/15 and to complete mediation by 10/27/15. Appearances are required on 2/3/15, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Amergence Technology Inc

Represented By
Ron Bender
Mark H Mcguire
Irwin M Wittlin

Defendant(s):

Microland Electronics Corporation,

Pro Se

Plaintiff(s):

Jason M. Rund, Chapter 7 Trustee

Represented By
Corey R Weber

Trustee(s):

Jason M Rund (TR)

Represented By
Steven T Gubner
Corey R Weber
Michael W Davis

Jason M Rund (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:00 PM

2:12-35473 Amergence Technology Inc

Chapter 7

Adv#: 2:15-01563 Rund, Chapter 7 Trustee v. Lee, an individual et al

#36.00 Pretrial conference re: Complaint for: (1) malpractice; (2) aiding and abetting breach of fiduciary duty; and (3) breach of fiduciary duty fr. 11/28/17, 1/23/18, 4/17/18

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on 9/28/18-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

Amergence Technology Inc

Represented By
Ron Bender
Mark H Mcguire
Irwin M Wittlin

Defendant(s):

Albert Lee, an individual

Pro Se

Business Legal Partners Attorneys

Pro Se

DOES 1 through 10

Pro Se

Plaintiff(s):

Jason M. Rund, Chapter 7 Trustee

Represented By
Corey R Weber

Trustee(s):

Jason M Rund (TR)

Represented By
Steven T Gubner
Corey R Weber
Michael W Davis

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:00 PM

CONT... Amergence Technology Inc

Chapter 7

Jason M Rund (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:00 PM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01153 Michael C. Lin, Trustee of The Hellion Trust v. Martinez

#37.00 Cont'd pretrial conference re: Complaint to except debt from discharge
fr. 12/19/17, 2/20/18, 10/9/18

Docket 1

Tentative Ruling:

Revised tentative ruling as of 11/26/18. In their stipulation filed on 10/2/18, the parties had advised the court that this matter is being settled, but no dispositive stipulation and proposed order have been submitted. The case is set for trial on 12/7/18, but no joint pretrial stipulation has been submitted, and the case does not appear ready for trial. Appearances are required on 11/27/18 to discuss further proceedings and scheduling, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits. Appearances are required on 2/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/18/17. No tentative ruling on the merits. Appearances are required on 12/19/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the unilateral status report filed by defendant. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Roy Martinez

Chapter 7

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Michael C. Lin, Trustee of The

Represented By
Henry D Paloci

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#38.00 Cont'd hearing re: Motion of Navigators Specialty Insurance Company for allowance and payment of administrative expense claim
fr. 6/26/18, 8/20/18, 10/2/18

Docket 1209

***** VACATED *** REASON: Resolved per stip & order entered on
10/23/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Off calendar. Motion resolved by stipulation and order. No appearances are required on 11/27/18.

Prior tentative ruling as of 8/20/18. At the first hearing on the motion on 6/26/18, the parties indicated that they did not have an interest in litigating this contested matter to an evidentiary hearing and were going to attempt to negotiate a consensual resolution with the filing of a stipulation by the hearing on 8/21/18. No stipulation has been filed, which perhaps indicates a lack of consensus. At this point, the court is inclined to deny the motion without prejudice on grounds the motion is premature as argued by objecting party, Morrison and Foerster, because the trustee has not concluded his administration of the case and this would be consistent with Judge Saltzman's prior 2016 order denying preconversion fee applications without prejudice (Docket Number 568). In reaching this conclusion, the court has considered case law regarding whether to allow immediate payment of administrative expense claims ahead of distribution after the Chapter 7 trustee's final report, *In re Tandem Group., Inc.*, 61 B.R. 738, 742 (Bankr. C.D. Cal. 1986) (postponing determination of preconversion administrative expense claim until Chapter 7 trustee informs the court that sufficient funds exist in the estate to pay Chapter 7 administrative expenses and preconversion Chapter 11 administrative expenses); *In re Cardinal Industries, Inc.*, 109 B.R. 738, 742 (Bankr. S.D. Ohio 1989) (considering the status of the case, the likelihood that all administrative expense claims will be paid in full, and the ability of the claimant to repay any amount which later turns out to be in excess of payments to other administrative expense claimants in determining whether an immediate payment of administrative expense claims should be made). Other objecting parties argue that they are similarly situated to movant and

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

CONT...

Fred Matthew Adelman

Chapter 7

are entitled to payment of administrative expense claims as well, and it seems it would be burdensome to the parties and the estate to litigate all of these claims now before the trustee's administration of the case is not completed and the trustee does not know at this time whether there are sufficient funds to pay Chapter 7 administrative expenses and preconversion administrative expense claims.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because there are material issues of fact for trial regarding whether movant has made a substantial contribution, which is disputed by other parties. The parties should meet and confer regarding their pretrial needs and a proposed pretrial and trial schedule. Appearances are required on 6/26/18 to discuss scheduling of pretrial and trial proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

#39.00 Hearing re: Motion to extend 7175 WB, LLC's deadline in which to object to discharge under 11 U.S.C. §727

Docket 81

Tentative Ruling:

Grant creditor's motion to extend its deadline to file adversary complaint to object to discharge for the reasons stated in the moving papers and for lack of timely written opposition. Movant has demonstrated reasonable diligence in its investigation of debtor's financial affairs in learning of information about possible grounds for objecting to discharge at debtor's first meeting of creditors on 9/26/18 with a followup meeting of creditors on 11/14/18 after the objection deadline of 11/5/18. Appearances are optional on 11/27/18, but counsel may appear by telephone. Creditor to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#40.00 Cont'd hearing re: Chapter 7 trustee's motion for an order disallowing claim no. 8-1 filed by Peggy Meyer Jarvel fr. 10/23/18

Docket 257

***** VACATED *** REASON: Cont'd from 11/27/18 to 1/15/19 at 2:30 p.m.
per stip & order entered on 11/14/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 1/15/19 at 2:30 p.m. No appearances are required on 11/27/18.

Party Information

Debtor(s):

Eugen Valentin Dietl

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By

Aram Ordubegian

Annie Y Stoops

M Douglas Flahaut

Christopher K.S. Wong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#41.00 Cont'd hearing re: Chapter 7 trustee's motion for an order disallowing claim no. 10-1 filed by Keystone Law Group, P.C.
fr. 10/23/18

Docket 258

***** VACATED *** REASON: Cont'd from 11/27/18 to 1/15/19 at 2:30 p.m.
per stip & order entered on 11/13/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 1/15/19 at 2:30 p.m. No appearances are required on 11/27/18.

Party Information

Debtor(s):

Eugen Valentin Dietl

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By

Aram Ordubegian

Annie Y Stoops

M Douglas Flahaut

Christopher K.S. Wong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

2:17-18962 Alexander Yulish

Chapter 7

#42.00 Hearing re: Debtor's motion to compel abandonment of property of the estate because the estate has already received funds sufficient to pay all allowed claims and expenses in full

Docket 101

***** VACATED *** REASON: Dismissed per stip & order entered on
11/26/18-mb.**

Tentative Ruling:

Off calendar. Motion voluntarily dismissed by stipulation and order. No appearances are required on 11/27/18.

Party Information

Debtor(s):

Alexander Yulish

Represented By
Todd L Turoci

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Sonia Singh
Eric P Israel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01214 Grand View Financial, LLC v. Ho

#43.00 Hearing re: Motion to set aside default and default judgment

Docket 20

***** VACATED *** REASON: Cont'd from 11/27/18 to 12/11/18 at 2:30
p.m. per stip & order entered on 11/13/18-mb**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 12/11/19 at 2:30 p.m. No appearances are required on 11/27/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Steven Ho

Represented By
William Charles Tanenbaum

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01214 Grand View Financial, LLC v. Ho

#44.00 Cont'd hearing re: Plaintiff's motion for default judgment under LBR 7055-1
fr. 10/16/18

Docket 15

***** VACATED *** REASON: Cont'd from 11/27/18 to 12/11/18 at 2:30
p.m. per stip & order entered on 11/13/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Off calendar. Continued by stipulation and order to 12/11/19 at 2:30 p.m. No appearances are required on 11/27/18.

Prior tentative ruling. Grant plaintiff's motion for default judgment for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 10/16/18

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Steven Ho

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01214 Grand View Financial, LLC v. Ho

#45.00 Cont'd status conference re: Complaint for turnover of property of the estate
fr. 8/28/18, 10/23/18

Docket 1

***** VACATED *** REASON: Cont'd from 11/27/18 to 12/11/18 at 2:30
p.m. per stip & order entered on 11/13/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 12/11/19 at 2:30 p.m. No appearances are required on 11/27/18.

Prior tentative ruling as of 10/22/18. Off calendar. The court on its own motion continues the status conference to 11/27/18 at 2:30 p.m. to be conducted with the continued hearing on plaintiff's motion for default judgment and defendant's motion to set aside default. No appearances are required on 10/23/18.

Prior tentative ruling. Given the severity of the circumstances of turnover in the circumstances of this case, if plaintiff seeks judgment against defendants (meaning eviction of defendants from their residence which they had conveyed to plaintiff for it to perform certain services to save their home from foreclosure in exchange for rent payments and shared equity arrangements, which defendants allegedly defaulted), the court will order that plaintiff serve any dispositive motion on defendants by personal delivery. Appearances are required on 8/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

CONT... Grand View Financial LLC

Chapter 11

Defendant(s):

Steven Ho

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

2:17-21119 Eliseo Cruz Cruz

Chapter 7

#46.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Peter J. Mastan, Chapter 7 Trustee]

Docket 34

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 11/27/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Eliseo Cruz Cruz

Represented By
Dana C Bruce

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

2:17-24993 Mary Katherine Cummins-Cobb

Chapter 7

Adv#: 2:18-01066 Khionidi v. Cummins-Cobb

#47.00 Hearing re: Motion for an order amending scheduling order to continue discovery cutoff and pretrial conference

Docket 31

Tentative Ruling:

Grant in part and deny in part plaintiff's motion to extend discovery cutoff date and to continue pretrial conference, and grant extension of discovery cutoff date for all parties (and not just for plaintiff) to 1/31/19 and continue the pretrial conference from 12/11/18 at 2:00 p.m. to 3/12/19 at 2:00 p.m. and the deadline to file the joint pretrial stipulation to 3/5/19. Plaintiff has demonstrated reasonable diligence in discovery, and defendant has not demonstrated prejudice if the motion is granted. Appearances are required on 11/27/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Mary Katherine Cummins-Cobb Pro Se

Defendant(s):

Mary Katherine Cummins-Cobb Pro Se

Plaintiff(s):

Konstantin Khionidi Represented By
Philip H Stillman

Trustee(s):

Peter J Mastan (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

2:18-10524 Fox Property Holdings, LLC

Chapter 11

#48.00 Hearing re: Motion to extend the debtor's exclusive periods to file and solicit a plan of reorganization

Docket 122

Tentative Ruling:

Grant debtor's motion to further extend plan exclusivity periods for the reasons stated in the moving and reply papers. Appearances are required on 11/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Fox Property Holdings, LLC

Represented By

Timothy J Yoo

Juliet Y Oh

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, November 27, 2018

Hearing Room 1675

2:30 PM

2:18-12263 Mario Alberto Palacios

Chapter 7

#49.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Peter J. Mastan, Chapter 7 Trustee]

Docket 26

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 11/27/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Mario Alberto Palacios

Represented By
Ruben Fuentes

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

10:00 AM

2:15-12452 Chul Hyun Gong

Chapter 7

#1.10 Cont'd hearing re: Motion for relief from stay
(Admire Capital Lending LLC VS Debtor)
fr. 11/13/18

Docket 533

Tentative Ruling:

Updated tentative ruling as of 11/26/18. In light of trustee's notice of withdrawal of opposition to the motion, grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief, including stay annulment to the date of movant's loan of 9/1/17, for the reasons stated in the moving papers and for lack of outstanding timely written opposition. Deny requests for extraordinary relief in paragraphs 4, 10, 11 and 14 for lack of legal and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009). The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU. Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Appearances are optional on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the moving and opposing papers and is of the view that the motion should be denied or withdrawn because that the relief sought should be requested in the Bricks Hospitality Group, LLC involuntary bankruptcy case before Judge Robles and that it appears to the court that the amended petition in this case adding Bricks as a dba is bogus.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

10:00 AM

CONT... Chul Hyun Gong

Chapter 7

It does not appear to the court to be a good idea for trustee to administer the asset in this case for the same reason. Appearances are required on 11/13/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Chul Hyun Gong

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:10-60711 Brunelle Equities LLC

Chapter 11

#1.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 3/1/18, 5/10/18, 8/29/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/27/18. No tentative ruling on the merits. Appearances are required on 8/29/18, but counsel may appear by telephone.

Revised tentative ruling as of 5/9/18. Off calendar. Since creditor's motion to dismiss has been resolved by stipulation and order, the court on its own motion continues the status conference in this case to 8/29/18 at 11:00 a.m. A status report is due on 8/22/18. No appearances are required on 5/10/18.

Updated tentative ruling as of 5/7/18. No tentative ruling will be issued for the evidentiary hearing on the motion. Appearances are required on 5/10/18.

Prior tentative ruling as of 4/5/18. No tentative ruling on the merits. Appearances are required on 4/12/18.

Revised tentative ruling as of 2/28/18. Off calendar. In light of the continuance of the hearing on creditor's motion to dismiss, the court on its own motion continues the status conference in this case to 4/12/18 at 9:00 a.m. No appearances are required on 3/1/18.

Prior tentative ruling as of 11/28/17. Off calendar. The court, after reviewing the case docket, on its own motion continues the status conference to be conducted with the hearing on creditor's motion to dismiss or convert on 12/6/17 at 11:00 a.m. No appearances are required on 11/29/17.

Prior tentative ruling as of 10/25/17. Off calendar. Continued by stipulation

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

CONT... Brunelle Equities LLC

Chapter 11

and order to 11/29/17 at 11:00 A.M. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. The court has reviewed debtor's status report filed on 2/23/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/10/17. Off calendar. Continued by stipulation and order to 3/1/17 at 11:00 a.m. No appearances are required on 1/11/17.

Prior tentative ruling as of 1/9/17. Appearances are required on 1/11/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/13/16. No tentative ruling on the merits, but debtor should address why a postconfirmation status report was not timely filed as ordered by the court on 10/18/16. Appearances are required on 12/14/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Brunelle Equities LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker, Sr

Chapter 11

#2.00 Order to show cause why debtor Gary Wayne Barker, Sr., and/or his attorney Dennis McGoldrick should not be sanctioned for failure to appear at the October 17, 2018 post confirmation status conference

Docket 229

Tentative Ruling:

No tentative ruling as of 11/26/18. Appearances are required on 11/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E McGoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker, Sr

Chapter 11

#3.00 Hearing re: Application to convert case to chapter 7 based upon debtor's failure to comply with prior court order

Docket 232

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E McGoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker

Chapter 11

#4.00 Cont'd status conference re: Post confirmation of plan
fr. 5/23/18, 6/27/18, 10/17/18

Docket 123

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/15/18. No tentative ruling on the merits, but debtor will need to address the notice of delinquency filed by the United States Trustee and to state when he will be filing a motion for entry of final decree. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/21/18. No tentative ruling on the merits. Appearances are required on 5/23/18, but counsel may appear by telephone.

Updated tentative ruling as of 2/12/18. The court has reviewed debtor's status report. Debtor will need to address the notice of delinquency in filing United States Trustee reporting requirements filed on 1/2/18. Appearances are required on 2/13/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits. Appearances are required on 10/18/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/11/17. Appearances are required on 9/13/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/10/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Updated tentative ruling as of 10/17/16. The court has reviewed debtor's status report and declaration and exhibits attached thereto. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Debtor to explain whether the checks attached to his declaration filed on 9/16/16 have brought the plan entirely current. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/7/16. Appearances are required on 3/9/16, but counsel may appear by telephone.

Prior tentative ruling as of 2/1/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 2/3/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 11/23/15. The court has reviewed debtor's post-confirmation status report. Appearances are required on 11/25/15, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

No updated tentative ruling as of 8/25/15. Appearances are required on 8/26/15, but counsel may appear by telephone.

Prior tentative ruling as of 4/13/15. Off calendar. The court has reviewed debtor's post-confirmation status report and sets a further status conference on its own motion to 8/26/15 at 11:00 a.m. A further status report is due 8/21/15. No appearances are required on 4/15/15.

Prior tentative ruling as of 1/26/15. Off calendar. The court has reviewed debtor's post-confirmation status report and continues the status conference on its own motion to 4/15/15 at 11:00 a.m. A further status report is due 4/8/15. No appearances are required on 1/28/15.

Prior tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 7/21/14. Appearances are required on 7/23/14, but counsel may appear by telephone.

Prior tentative ruling as of 7/8/14. No tentative ruling on the merits. Appearances are required on 7/9/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's post-confirmation status report and continues the status conference to 5/7/14 at 11:00 a.m. No appearances required on 11/6/13, but a further status report is due on 4/30/14.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E Mcgoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:12-15626 Forbco Sizzler Partners, L.P.

Chapter 11

#5.00 Cont'd status conference re: Post confirmation of plan
fr. 11/8/17, 2/14/18, 8/29/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/27/18. No tentative ruling on the merits. Appearances are required on 8/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/12/18. No tentative ruling on the merits. Appearances are required on 2/14/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtors' status report. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Forbco Sizzler Partners, L.P.

Represented By
Robert E Opera
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:12-28426 Chestnut, LLC

Chapter 11

#6.00 Hearing re: First and final application of Raymond H. Aver, a professional corporation, general insolvency counsel for Chestnut, LLC for allowance Of fees and reimbursement of costs

Docket 300

***** VACATED *** REASON: Cont'd from 11/28/18 to 12/19/18 at 11:00 a.m. per order entered on 11/20/18-mb.**

Tentative Ruling:

Off calendar. Continued on the court's own motion to 12/19/18 at

Party Information

Debtor(s):

Chestnut, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:12-28426 Chestnut, LLC

Chapter 11

#7.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 5/16/18, 8/8/18, 11/7/18

Docket 59

***** VACATED *** REASON: Cont'd from 11/28/18 to 12/19/18 at 11:00
a.m. per order entered on 11/20/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/6/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/7/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/11/18. Off calendar. The court has reviewed debtor's status report filed on 5/9/18 reporting that debtor is preparing a motion for final decree and requesting a 60 to 90 day continuance of the status conference for such motion to be noticed and heard. The court on its own motion continues the status conference to 8/8/18 at 11:00 a.m. No appearances are required on 5/16/18.

Updated tentative ruling as of 12/11/17. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/13/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/17. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

CONT... Chestnut, LLC

Chapter 11

Prior tentative ruling as of 6/13/16. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. Appearances are required on 3/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 5/11/15. Appearances are required on 5/12/15, but counsel may appear by telephone.

Party Information

Debtor(s):

Chestnut, LLC

Represented By
Raymond H Aver

Movant(s):

Chestnut, LLC

Represented By
Raymond H Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:15-24071 Francisco O Lopez

Chapter 11

#8.00 Cont'd status conference re: Post confirmation of plan
fr. RN, 11/8/17, 2/14/18, 8/29/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/27/18. No tentative ruling on the merits. Appearances are required on 8/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/12/18. No tentative ruling on the merits. Regarding United States Trustee's limited opposition to motion to close case on an interim basis, debtor needs to address the objection regarding unpaid United States Trustee quarterly fees. Appearances are required on 2/14/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/17. No tentative ruling on the merits. The court notes that debtor filed a motion for order closing case on an interim basis with notice and opportunity for a hearing pursuant to LBR 9013-1(o). Debtor has not filed a declaration of non-opposition. The court is inclined to deny the motion without prejudice because there is no evidence in support of the assertions made in the motion. Appearances are required on 11/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling as of 4/24/17. The court has reviewed debtor's postconfirmation status report, reporting he anticipates filing a motion for final decree within the next 90 days. Appearances are required on 4/26/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

CONT... Francisco O Lopez

Chapter 11

Prior tentative ruling. The court has reviewed debtor's postconfirmation status report. No tentative ruling on the merits. Appearances are required on 11/30/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Francisco O Lopez

Represented By
Nam H. Le

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:16-15233 Kristine Lynn Heicke

Chapter 11

#9.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. TD, 9/27/17, 1/31/18, 2/28/18

Docket 51

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/30/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No tentative ruling as of 5/26/17. Appearances are required on 5/31/17.

Prior tentative ruling. Because the only votes on the plan were received after the deadline set by the court's balloting deadline of 3/22/17 in the court's order filed and entered on 2/15/17, none of the votes may be counted under the order and FRBP 3017(c) and 3018(a). Because none of the votes cast were timely in order to be counted under the court's deadline order, debtor has not shown that there is at least one impaired class of claims accepting the plan as required for confirmation under 11 U.S.C. 1129(a)(10), so the plan may not be confirmed. Thus, the court is inclined to deny confirmation, but the court would consider a request by debtor to seek relief by motion under FRBP 9006(b)(1) to enlarge the time to cast votes as to the late cast votes based on a sufficient showing of "excusable neglect". See *In re Paul*, 101 B.R. 228 (Bankr. S.D. Cal. 1989). Appearances are required on 5/3/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

CONT... Kristine Lynn Heicke

Chapter 11

Party Information

Debtor(s):

Kristine Lynn Heicke

Represented By
Daniel King
Kevin Tang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#10.00 Hearing re: Debtor's motion for entry of judgment on his objections to claims [claim nos. 7,12, & 13 - Cindy Magleby and claim no. 16- Freid & Goldsman, APLC, both creditors] for creditors' failure to comply with pre-trial orders and prepare for trial

Docket 558

***** VACATED *** REASON: Denied per order entered on 11/19/18-mb.**

Tentative Ruling:

Off calendar. The court determines that oral argument is not necessary, dispenses with oral argument, vacates the hearing, takes the motion under submission and has issued a written order ruling on the motion. No appearances are required on 11/28/18.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

#11.00 Hearing re: Plaintiff's motion for entry of judgment for defendant's failure to comply with re-trial orders and prepare for trial

Docket 54

***** VACATED *** REASON: Denied per order entered on 11/19/18-mb.**

Tentative Ruling:

Off calendar. The court determines that oral argument is not necessary, dispenses with oral argument, vacates the hearing, takes the motion under submission and has issued a written order ruling on the motion. No appearances are required on 11/28/18.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

Defendant(s):

Cindy Magleby

Represented By
Michael J Conway
Douglas M Neistat

Plaintiff(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#12.00 Hearing re: Ko & Martin certified interpreters' first interim application for compensation

Docket 266

Tentative Ruling:

Approve interim fee application of certified interpreters for unsecured creditors' committee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 11/28/18, but counsel and applicant may appear by telephone. Counsel or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:17-15033 Shapphire Resources, LLC

Chapter 11

#13.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/8/18, 9/19/18, 10/24/18

Docket 1

***** VACATED *** REASON: Cont'd from 11/28/18 to 2/6/19 at 11:00 a.m.
per stip & order entered on 11/27/18-mb.**

Tentative Ruling:

Revised and updated tentative ruling as of 11/27/18. Off calendar.
Continued by stipulation and order to 2/6/19 at 11:00 a.m. Counsel for debtor
to give telephone notice of continuance to trial attorney of Office of United
States Trustee forthwith. No appearances are required on 11/28/18.

Revised tentative ruling as of 10/23/18. Off calendar. Continued by
stipulation and order to 11/28/18 at 11:00 a.m. No appearances are required
on 10/24/18.

Prior tentative ruling as of 6/25/18. Off calendar. Continued by stipulation
and order to 8/8/18 at 11:00 a.m. No appearances are required on 6/27/18.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/22/18. No tentative ruling on the merits.
Appearances are required on 1/24/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/23/17. No tentative ruling on the merits.
Appearances are required on 10/25/17, but counsel may appear by
telephone.

Prior tentative ruling as of 8/28/17. No tentative ruling on the merits.
Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 6/14/17, but
counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

CONT... Shapphire Resources, LLC

Chapter 11

Party Information

Debtor(s):

Shapphire Resources, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#14.00 Status conference re: Post confirmation of plan
fr. 3/21/18, 4/25/18, 7/11/18

Docket 62

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. No tentative ruling on the merits. Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling. The disclosure statement does not contain adequate information. Regarding treatment of secured claims, the text in the plan refers to Article II, but no Article II is attached. Exhibit C to the plan refers to certain notes for each claim, but these notes do not adequately spell out the treatment of the primary secured claim to Wells Fargo Bank, the senior secured lender for the loan on debtor's residence. The disclosure statement should have a more detailed description of how this claim will be treated under the plan. The plan itself is not much better. It is hard to tell what is being proposed for treatment of the claim. The disclosure statement and plan will have to be revised for sake of clarity. If this is a cramdown situation, it does not appear that a 40 year payout is fair and equitable for this creditor, and debtor should probably consider taking out this creditor when the loan matures under the existing terms. Appearances are required on 3/21/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Peter G. Kudrave

Represented By
David A Tilem

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

CONT... Peter G. Kudrave

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#15.00 Hearing re: Debtor's motion for the entry of an order: (1) approving the sale of real property free and clear of all liens, claims, encumbrances, and interests, with the exception of enumerated exclusions, subject to overbid, (2) finding that the buyer is good faith purchaser, (3) approving bidding procedures and break-up fee, (4) authorizing and approving the payment of certain claims from sale proceeds, and (5) waiving the fourteen-day stay period set forth in Bankruptcy Rule 6004(h)

Docket 337

Tentative Ruling:

No tentative ruling as of 11/27/18. Appearances are required on 11/28/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:18-10551 Nina Mosby

Chapter 11

#16.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/7/18, 5/16/18, 8/29/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/27/18. The court has reviewed debtor's status report filed on 8/15/18. No tentative ruling on the merits. Appearances are required on 8/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/11/18. The court has reviewed debtor's status report filed on 5/9/18. No tentative ruling on the merits. Appearances are required on 5/16/18, but counsel may appear by telephone.

Updated tentative ruling as of 3/5/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Nina Mosby

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:18-11475 Catherine Trinh

Chapter 11

#17.00 Cont'd status conference re: Management of chapter 11 case
fr. 4/11/18, 5/23/18, 8/29/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/21/18. No tentative ruling on the merits. Appearances are required on 5/23/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. The proposed claims bar date of 7/13/18 and proposed date for filing a disclosure statement of 6/4/18 seem reasonable. Appearances are required on 4/11/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Catherine Trinh

Represented By
Alan W Forsley

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:18-13759 Charles Peters

Chapter 11

#18.00 Hearing re: Motion in individual chapter 11 case for order authorizing debtor in possession to employ professional (other than general bankruptcy counsel) Jay B. Siegel as Special Counsel[LBR 2014-1]

Docket 102

Tentative Ruling:

The application needs to be more detailed in describing the services to be performed by special litigation counsel. Debtor needs to explain the justification for the representation in the criminal cases against him. Debtor also needs to explain the justification for having counsel based in Santa Monica to bring unlawful detainer actions at \$350/hour when it would make more economic sense to have local unlawful detainer counsel resident in Riverside County handle UD matters to be filed in Riverside County for the Beaumont property. Otherwise, no tentative ruling as of 11/27/18. Appearances are required on 11/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Charles Peters

Represented By
Frank Edel Blanco
Michael Jay Berger

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:18-14084 Edgar Eduardo Esparza

Chapter 11

#19.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/30/18, 9/19/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report proposing a claims bar date of 7/30/18, but the court requires 60 days notice of a bar date to creditors, which means notice must be served on all creditors by 5/31/18. The court is inclined to set a bar date of 8/10/18 with notice served by 6/8/18. Otherwise, no tentative ruling on the merits. Appearances are required on 5/30/18 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Edgar Eduardo Esparza

Represented By
Giovanni Orantes

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:18-17424 San Pedro Waterfront LLC dba Ports O'Call Res

Chapter 11

#20.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/22/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/22/18, but counsel may appear by telephone.

Party Information

Debtor(s):

San Pedro Waterfront LLC dba Ports

Represented By
David R Haberbush

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:18-21789 Samuel Marquez

Chapter 11

#21.00 Hearing re: Motion in individual chapter 11 case for order authorizing use of cash collateral [11 U.S.C. §363]

Docket 11

Tentative Ruling:

The information in item 7.a(6) on adequate information in the motion is checked off indicating that adequate protection payments will be made, but information about the creditors and amounts to be paid is left blank. Otherwise, no tentative ruling. Appearances are required on 11/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Samuel Marquez

Represented By
Onyinye N Anyama

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#21.10 Cont'd hearing re: Debtors' objection to amended claim no. 9 and motion to estimate claim for purposes of voting and distribution
fr. 10/24/18, 11/7/18, 11/14/18

Docket 103

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Although not cited in their papers, the parties should be prepared to discuss the factors setting forth the standard in this circuit for permissive abstention in *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). See also, *In re Szanto*, 2016 WL 3256989 (9th Cir. BAP 2016); *In re Roger*, 2015 WL 7566647 (C.D. Cal. 2015). It seems to the court that the court should permissively abstain and stay the proceedings long enough to allow the state courts to determine on the merits creditor's claims pending in the state court actions which raise substantively noncore, state law claims, for the reasons stated in the court's rulings on creditor's remand motions. It would be helpful for the parties to report on the status of the proceedings in the state court actions because the papers are not informative about that. Appearances are required on 11/28/18.

Revised tentative ruling as of 11/13/18. Off calendar. Continued by stipulation and order to 11/28/18 at 11:00 a.m. No appearances are required on 11/14/18.

Prior tentative ruling as of 11/5/18. Off calendar. Continued on the court's own motion to 11/14/18 at 11:00 a.m. No appearances are required on 11/7/18.

Prior tentative ruling. Continued on the court's own motion by written order to 11/7/18 at 10:00 a.m. No appearances are required on 10/24/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

CONT... Shahriar Joseph Zargar and Shabnam Mesachi
Ashley M McDow

Chapter 11

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01144 Shadsirat v. Zargar et al

#21.20 Cont'd hearing re: Plaintiff's motion for this court to abstain, or in the alternative, to stay adversary proceeding fr. 11/13/18

Docket 31

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Although not cited in their papers, the parties should be prepared to discuss the factors setting forth the standard in this circuit for permissive abstention in *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). See also, *In re Szanto*, 2016 WL 3256989 (9th Cir. BAP 2016); *In re Roger*, 2015 WL 7566647 (C.D. Cal. 2015). It seems to the court that the court should permissively abstain and stay the proceedings long enough to allow the state courts to determine on the merits creditor's claims pending in the state court actions which raise substantively noncore, state law claims, for the reasons stated in the court's rulings on creditor's remand motions. It would be helpful for the parties to report on the status of the proceedings in the state court actions because the papers are not informative about that. Appearances are required on 11/28/18.

Revised tentative ruling as of 11/13/18. Off calendar. Continued by stipulation and order to 11/28/18 at 11:00 a.m. No appearances are required on 11/14/18.

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

11:00 AM

CONT... Shahriar Joseph Zargar

Chapter 11

Shabnam Mesachi

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

1:30 PM

2:18-22902 Jose Antonio Santiago

Chapter 7

#21.30 Hearing re: Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate

Docket 8

Tentative Ruling:

No tentative ruling as of 11/26/18. Appearances are required on 11/28/18.

Party Information

Debtor(s):

Jose Antonio Santiago

Pro Se

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

2:00 PM

2:16-18163 Anthony Curtis Wells
Adv#: 2:16-01341 Dumas v. Wells

Chapter 7

#22.00 Cont'd hearing re: Motion for summary judgment or partial summary judgment
fr. 9/12/18, 11/7/18

Docket 24

Tentative Ruling:

Updated tentative ruling as of 11/27/18. The court is inclined to grant the motion for the reasons stated in the moving and reply papers, including the amended proposed statement of uncontroverted facts and conclusions of law. Plaintiff has not, but will need, to upload the amended proposed statement of uncontroverted facts and conclusions of law on LOU if he wants the court to adopt it as an order of the court. Appearances are required on 11/28/18.

Prior tentative ruling. Off calendar. Continued on the court's own motion by separate order to 11/7/18 at 2:00 p.m. No appearances are required on 9/12/18.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Plaintiff(s):

Jose L. Dumas

Represented By
John Clark Brown Jr
Gary A Laff

Trustee(s):

Richard K Diamond (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

2:00 PM

CONT...

Anthony Curtis Wells

Howard Kollitz
Aaron E de Leest
John Clark Brown Jr

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

2:00 PM

2:16-18163 Anthony Curtis Wells
Adv#: 2:16-01341 Dumas v. Wells

Chapter 7

#23.00 Cont'd status conference re: Complaint for nondischargeability of debt
(USC §523(a)(2)(A)(6))
fr. 5/22/18, 9/12/18, 11/7/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/10/18. Off calendar. Continued on the court's own motion by separate order to 11/7/18 at 2:00 p.m. No appearances are required on 9/12/18.

Prior tentative ruling as of 5/21/18. The court has reviewed the joint status report reporting the affirmance of the state court judgment in favor of plaintiff and against defendant. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. Off calendar. The court has reviewed the joint status report suggesting that the status conference be continued to May 2018 in light of the pending appeal in the related state court litigation where oral argument is estimated to be scheduled that month. The court on its own motion continues the status conference to 5/22/18 at 1:30 p.m. No appearances are required on 2/20/18.

Prior tentative ruling as 9/25/17. Off calendar. The court has reviewed the joint status report stating that the related state court appellate proceedings are still pending and that the status conference should be continued to February 2018. The court on its own motion continues the status conference to 2/20/18 at 1:30 p.m. Counsel for plaintiff is ordered to file and serve a notice of continuance of status conference. No appearances are required on 9/26/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, November 28, 2018

Hearing Room 1675

2:00 PM

CONT... Anthony Curtis Wells

Chapter 7

Prior tentative ruling as 5/26/17. No tentative ruling on the merits. Appearances are required on 5/30/17 to update the status of the state appellate proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/27/17. The status conference will be delayed to 2:00 p.m. because the court has a commitment offsite at the lunch hour. The court has reviewed the joint status report discussing the status of the related proceedings before the state appellate court and requesting a continuance of the status conference pending the decision of the state appellate court. The court on its own motion continues the status conference to 9/26/17 at 1:30 p.m. and orders the parties to file a further joint status report by 9/19/17. No appearances are required on 3/28/17.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 10/4/16 to discuss scheduling of mediation and trial, and the arrangements for a stay of this adversary proceeding pending appellate review of judgment in related state court litigation, but counsel may appear by telephone.

Party Information

Debtor(s):

Anthony Curtis Wells

Represented By
Gary A Laff

Defendant(s):

Anthony Curtis Wells

Pro Se

Plaintiff(s):

Jose L. Dumas

Represented By
John Clark Brown Jr

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 29, 2018

Hearing Room 1675

9:00 AM

2:16-24931 Anthony Roy Martinez

Chapter 7

#1.00 EVIDENTIARY HEARING RE: Motion for order authorizing abandonment
fr. 5/29/18, 9/4/18

Docket 81

***** VACATED *** REASON: Per order entered on 11/20/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Off calendar. Since the outstanding objections to the motion have been withdrawn, the court granted trustee's now uncontested motion for abandonment based on the moving papers and the supplemental papers filed in support of the motion and vacated the hearing on 11/29/18 by written order. No appearances are required on 11/29/18.

Prior tentative ruling as of 8/31/18. No tentative ruling on the merits. It appears that the opposing parties may seek a continuance of the status conference based on their ongoing litigation in the various adversary proceedings against the debtor, which is now in mediation. Appearances are required on 9/4/18 to discuss the status of the matter, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 since there are disputed issues of material fact regarding the reasonableness of the trustee's exercise of business judgment to abandon all assets of the estate to the debtor. The court will conduct the hearing as a status conference, and the parties should be prepared to discuss scheduling of pretrial and trial proceedings, including what evidence or discovery they will need for trial. As a suggestion in response to the trustee's reply to the opposition of the two objecting creditors, the court would consider a continuance of the hearing to allow the objecting creditors and their counsel to meet and confer with the trustee to hear in detail why the trustee believes that the assets should be abandoned. Appearances are required on 5/29/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 29, 2018

Hearing Room 1675

9:00 AM

CONT... Anthony Roy Martinez

Chapter 7

Debtor(s):

Anthony Roy Martinez

Represented By
Andrew Edward Smyth

Trustee(s):

Wesley H Avery (TR)

Represented By
Alan I Nahmias
Stephen F Biegenzahn

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 29, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#2.00 Cont'd pretrial conference re: Debtor's motion to disallow claims of Cindy S. Magleby (claim numbers 13, 7, and 12) fr. 8/8/18, 8/27/18, 11/14/18

Docket 390

***** VACATED *** REASON: Cont'd from 11/29/18 to 12/13/18 at 9:00 a.m. per order entered on 11/21/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Off calendar. Continued to 12/13/18 at 9:00 a.m. by order entered on 11/21/18. No appearances are required on 11/29/18.

Revised and updated tentative ruling as of 11/13/18. Off calendar. Continued on the court's own motion by separate order to 11/29/18 at 1:30 p.m. No appearances are required on 11/14/18.

Updated tentative ruling as of 8/7/18. The parties filed unilateral pretrial statements rather than a joint pretrial statement. Before the court imposes monetary sanctions of \$250 against the culpable party/ies for failing to file a joint pretrial statement as required by LBR 7016-1, the court will afford the parties an opportunity to complete and file a joint pretrial statement as required and intends to continue the pretrial conference for this purpose. Appearances are required on 8/8/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed the unilateral pretrial statements of the parties, which are incomplete and inadequate and will not be approved. The "statements" should be a joint pretrial stipulation, and they lack the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 29, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court notes that claimant has a pending motion for abstention on her claims set for hearing on 3/21/18. If the court abstains, this itself will not postpone plan confirmation proceedings because the parties may request the court to estimate the claims for voting on plan confirmation. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. If claimant believes that the court should permissively abstain from hearing this contested matter, then she should bring a proper motion for abstention rather than raising the request in her opposition to the objection. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). However, it seems to the court that it could properly hear the objection to claim as a core proceeding under 28 U.S.C. 157(b)(2)(B) and not abstain under *In re Conejo Enterprises, Inc.*, 96 F.3d 346 (9th Cir. 1996). Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 29, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#3.00 Cont'd pretrial conference re: Renewed motion for order disallowing claims of Fried & Goldsman, APLC (claim no. 15) and Taylor and Liberman (claim no. 16) fr. 8/8/18, 8/27/18, 11/14/18

Docket 394

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Off calendar. Taken off calendar on the court's own motion by separate order pending resolution of joint pretrial stipulation regarding contested matter of debtor's objection to claims of creditor Cindy Magleby. No appearances are required on 11/29/18.

Off calendar. Continued on the court's own motion by separate order to 11/29/18 at 1:30 p.m. No appearances are required on 11/14/18.

Corrected tentative ruling as of 11/13/18. Off calendar. Taken off calendar on the court's own motion by separate order pending resolution of joint pretrial stipulation regarding contested matter of debtor's objection to claims of creditor Cindy Magleby. No appearances are required on 11/14/18.

Updated tentative ruling as of 8/7/18. Because the parties filed their joint pretrial statement late, the joint pretrial statement is voluminous and the parties in the related contested matter of Debtor's objection to the claim of Cindy Magleby, claimants' client, filed unilateral pretrial statements rather than a joint pretrial statement as required, the court intends to continue the pretrial conference for this matter to be coordinated with the pretrial conference for the contested matter of Debtor's objection to the claim of Cindy Magleby and to allow additional time for review of the joint pretrial statement. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 29, 2018

Hearing Room 1675

1:30 PM

CONT...

Curtis C. Magleby

Chapter 11

Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 29, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

#4.00 Cont'd hearing re: Disclosure statement
fr. 8/8/18, 8/27/18, 11/14/18

Docket 174

***** VACATED *** REASON: Cont'd from 11/29/18 to 12/13/18 at 9:00
a.m. per order entered on 11/21/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Off calendar. Continued to 12/13/18 at 9:00 a.m. by order entered on 11/21/18. No appearances are required on 11/29/18.

Revised and updated tentative ruling as of 11/13/18. Off calendar. Continued on the court's own motion by separate order to 11/29/18 at 1:30 p.m. No appearances are required on 11/14/18.

No updated tentative ruling as of 8/7/18. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. Off calendar. The court on its own motion continues the hearing to 8/8/18 at 11:00 a.m. No appearances are required on 8/1/18.

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court has reviewed debtor's status

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 29, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

update and request to continue the status conference. No tentative ruling on the merits. Appearances are required on 3/7/18 to discuss scheduling and the the impact of treatment on creditor Cindy Magleby's claims for plan voting and abstention among other things, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. The court notes that debtor filed a second amended disclosure statement on 1/30/18, 8 days before the further hearing on 2/7/18. Creditor Banc of California filed a response on 1/31/18 objecting to debtor's noticing approval of the amended disclosure statement for the hearing on 2/7/18, citing the court's oral ruling that creditors should be given 3 weeks notice of hearing on an amended disclosure statement. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, including adequate time for creditors to respond to debtor's second amended disclosure statement and a scheduling of a further hearing on debtor's second amended disclosure statement to allow for review and comment by creditors and interested parties, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. The court has reviewed debtor's status report. Appearances are required on 11/29/17 to discuss scheduling of further proceedings, including filing date for debtor's second amended disclosure statement, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. Debtor in his status report filed on 2/22/17 indicated that he and his counsel are working on revising and amending the original disclosure statement to include a revised and updated liquidation analysis and taking into account resolutions of claims of creditors, including First Republic Bank (however, the court notes that it disapproved without prejudice the stipulation resolving claim of First Republic Bank in light of objection of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 29, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

creditor Cindy Magelby since it appears that debtor will need to bring a FRBP 9019 motion). Appearances are required on 3/1/17 regarding scheduling of further proceedings for an amended and revised disclosure statement, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 29, 2018

Hearing Room 1675

1:30 PM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

#5.00 Cont'd pretrial conference re: Complaint to recover property of the estate and for turnover of property of the estate pursuant to section 542(a) of the United States Bankruptcy Code, 11 U.S.C. §542(a)
fr. 8/8/18, 8/27/18, 11/14/18

Docket 1

***** VACATED *** REASON: Cont'd from 11/29/18 to 12/13/18 at 9:00 a.m. per order entered on 11/21/18-mb**

Tentative Ruling:

Updated tentative ruling as of 11/26/18. Off calendar. Continued to 12/13/18 at 9:00 a.m. by order entered on 11/21/18. No appearances are required on 11/29/18.

Revised and updated tentative ruling as of 11/13/18. Off calendar. Continued on the court's own motion by separate order to 11/29/18 at 1:30 p.m. No appearances are required on 11/14/18.

Prior tentative ruling as of 8/7/18. The parties filed unilateral pretrial statements rather than a joint pretrial statement. Before the court imposes monetary sanctions of \$250 against the culpable party/ies for failing to file a joint pretrial statement as required by LBR 7016-1, the court will afford the parties an opportunity to complete and file a joint pretrial statement as required and intends to continue the pretrial conference for this purpose. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed defendant's unilateral pretrial statement, which is incomplete and inadequate and will not be approved. The "statement" should be a joint pretrial stipulation, and it lacks the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 29, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, November 29, 2018

Hearing Room 1675

1:30 PM

CONT... Curtis C. Magleby

Chapter 11

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Cindy Magleby

Pro Se

Plaintiff(s):

Curtis C. Magleby

Represented By
Alan F Broidy

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, November 30, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#1.10 Hearing re: Debtor's emergency motion for entry of interim order: (I) authorizing the debtor to obtain postpetition financing pursuant to 11 U.S.C. §§ 105, 361, 362 and 364 on an interim basis pending a final hearing, (II) scheduling a final hearing pursuant to Bankruptcy Rule 4001(c); and (III) granting related relief

Docket 99

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, November 30, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#1.20 Hearing re: Emergency application of debtor and debtor-in-possession to employ Stapleton Group as chief restructuring officer pursuant to 11 U.S.C. §§ 327 and 330

Docket 104

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, November 30, 2018

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#1.00 Cont'd hearing re: Plaintiff/creditor James Lee Clark's motion for an order for sanctions including terminating sanctions against defendant/debtor Rita Ellison-Farris fr. 4/10/18, 8/8/18, 10/3/18

Docket 362

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

No updated tentative ruling as of 11/26/18. Appearances are required on 11/30/18.

No updated tentative ruling as of 10/1/18. Appearances are required on 10/3/18.

No updated tentative ruling as of 8/7/18. Appearances are required on 8/8/18.

No tentative ruling as of 4/9/18. Appearances are required on 4/10/18.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, November 30, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, November 30, 2018

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#2.00 Cont'd hearing re: Motion of plaintiff/creditor James Lee Clark for an order compelling discovery and sanctions against defendant/debtor Rita Ellison-Farris fr. 1/30/18, 5/1/18, 8/8/18

Docket 351

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

No updated tentative ruling as of 11/26/18. Appearances are required on 11/30/18.

No updated tentative ruling as of 10/1/18. Appearances are required on 10/3/18.

No updated tentative ruling as of 8/7/18. Appearances are required on 8/8/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

Updated tentative ruling as of 1/12/18. Plaintiff moves to compel discovery to defendant with respect to: (1) his request for admissions, (2) his interrogatories and (3) his requests for production of documents. As to the request for admissions, the motion is unnecessary because if the requests for admissions are properly served, the requested matters for admission are deemed admitted if not timely denied. As to the interrogatories, the motion should be denied because the interrogatories are invalid because plaintiff did not sign them. On the copy of the interrogatories attached to the motion, there is no signature of plaintiff on his interrogatories as required by Federal Rule of Bankruptcy Procedure 9011(a). Plaintiff will need to sign them before he can move to compel defendant to respond to them. As to the request for production of documents, the motion does not comply with Local Bankruptcy

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, November 30, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Rule 9026-1(c) because plaintiff has not submitted a discovery dispute stipulation to be completed by both parties as to their positions on the discovery dispute. Plaintiff appears to have met the requirement of a meet and confer request to defendant's counsel, to which there was apparently no response, but plaintiff still needs to submit the joint discovery dispute stipulation required by Local Bankruptcy Rule 7026-1(c). The court wants the parties to conduct a meet and confer meeting regarding the interrogatories and the request for production of documents once plaintiff signs the interrogatories. Appearances are required on 1/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, November 30, 2018

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#3.00 Cont'd status conference re: Complaint: 1) objecting to discharge
2) breach of contract 3) breach of implied covenant of good faith
and fair dealing 4) conversion 5) negligence 6) breach of fiduciary duty
7) constructive fraud 8) fraudulent concealment 9) wrongful foreclosure
10) interference with prospective economic advantage
fr. 1/30/18, 5/1/18, 8/8/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

No updated tentative ruling as of 11/26/18. Appearances are required on 11/30/18.

No updated tentative ruling as of 10/1/18. Appearances are required on 10/3/18.

No updated tentative ruling as of 8/7/18. Plaintiff filed a motion for leave to file a further amended complaint, so the case may not be at issue until the motion is resolved. The motion is not noticed for hearing, but defendant to comment whether she opposes the motion. Appearances are required on 8/8/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

No tentative ruling as of 9/1/17. Appearances are required on 9/5/17.

No tentative ruling as of 7/31/17. Appearances are required on 8/1/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, November 30, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Updated tentative ruling as of 5/26/17. No tentative ruling on the merits. Appearances are required on 5/30/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 2/27/17. No tentative ruling on the merits. Appearances are required on 2/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/13/17. No tentative ruling on the merits. Appearances are required on 2/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/16. No tentative ruling on the merits. Appearances are required on 12/6/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits. Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits. Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/18/16. No tentative ruling on the merits. Appearances are required on 4/19/16, but counsel may appear by telephone.

Party Information

Attorney(s):

Deborah Bronner

Represented By
Deborah R Bronner

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, November 30, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Lenders Escrow Inc Pro Se

Does 1 Through 100 Inclusive Pro Se

Mediator(s):

David A. Gill Pro Se

Plaintiff(s):

James Lee Clark Represented By
Justin D Graham

Trustee(s):

Sam S Leslie (TR) Represented By
Christian T Kim

Sam S Leslie (TR) Pro Se

U.S. Trustee(s):

United States Trustee (LA) Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, November 30, 2018

Hearing Room 1675

1:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:14-01088 Clark v. Farris-Ellison

#4.00 Cont'd status conference re: Creditor, James Lee Clark's complaint to determine nondischargeability of debtors/defendant's debt [Pursuant to 11 U.S.C. §523(a)(2); 11 U.S.C. §523(a)(6)] fr. 5/1/18, 8/8/18, 10/3/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

No updated tentative ruling as of 11/26/18. Appearances are required on 11/30/18.

No updated tentative ruling as of 10/1/18. Appearances are required on 10/3/18.

No updated tentative ruling as of 8/6/18. Appearances are required on 8/8/18.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/30/18.

No tentative ruling as of 9/1/17. Appearances are required on 9/5/17.

No tentative ruling as of 7/31/17. Appearances are required on 8/1/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

Updated tentative ruling as of 5/26/17. No tentative ruling on the merits. Appearances are required on 5/30/17, but counsel and self-represented party may appear by telephone in accordance with the court's telephone appearance procedures.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, November 30, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Prior tentative ruling as of 2/27/17. No tentative ruling on the merits.
Appearances are required on 2/28/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/13/17. No tentative ruling on the merits.
Appearances are required on 2/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/16. No tentative ruling on the merits.
Appearances are required on 12/6/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/3/16. No tentative ruling on the merits.
Appearances are required on 10/4/16, but counsel may appear by telephone.

Prior tentative ruling as of 7/25/16. No tentative ruling on the merits.
Appearances are required on 7/26/16, but counsel may appear by telephone.

Prior tentative ruling as of 4/18/16. No tentative ruling on the merits.
Appearances are required on 4/19/16, but counsel may appear by telephone.

No updated tentative ruling as of 2/22/16. Appearances are required on
2/23/16.

No updated tentative ruling as of 8/24/15. Appearances are required on
8/25/15.

No tentative ruling as of 4/27/15. Appearances are required on 4/28/15.

Updated tentative ruling as of 3/9/15. No tentative ruling on the merits.
Appearances are required on 3/10/15. Defendant to address why there is no
proof of service of answer filed on 2/10/15.

Prior tentative ruling as of 11/17/14. No tentative ruling on the merits.
Appearances are required on 11/18/14.

Updated tentative ruling as of 9/29/14. The status conference will be
conducted on the 3:00 p.m. calendar with the hearing on the motion for
summary judgment. No tentative ruling on the merits. Appearances are
required on 9/30/14 at 3:00 p.m., not 1:30 p.m.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, November 30, 2018

Hearing Room 1675

1:30 PM

CONT... Rita Gail Farris-Ellison

Chapter 7

Prior tentative ruling as of 6/23/14. No tentative ruling on the merits. Appearances are required on 6/24/14.

Updated tentative ruling as of 5/12/14. No tentative ruling on the merits. Appearances are required on 5/13/14 to discuss status of state court proceedings, but counsel may appear by telephone.

Prior tentative ruling. No tentative ruling on the merits. The court notes procedural problems with the adversary proceeding: (1) first, plaintiff has not served counsel for debtors as required by Rule 7004(g) of the Federal Rules of Bankruptcy Procedure; (2) plaintiff is seeking the same relief as in the prior adversary proceeding, which was dismissed, and there may be a bar against such relitigation by claim or issue preclusion. Appearances are required on 4/15/14.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

Sam S Leslie (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

10:30 AM

2:18-18712 Ben B. Safyari

Chapter 11

#1.00 Hearing re: Motion for relief from stay
(Joe Klein VS Debtor)

Docket 62

Tentative Ruling:

The motion is procedurally deficient because movant has not served the creditors included on the list filed pursuant to FRBP 1007(d) as required by FRBP 4001(a)(1). Deny the motion without prejudice for insufficient service or continue hearing to allow movant to properly serve the unserved creditors as required by FRBP 4001(a)(1). Otherwise, no tentative ruling on the merits. Appearances are required on 12/4/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Ben B. Safyari

Represented By
Raymond H. Aver

Movant(s):

Joe Klein

Represented By
Niv V Davidovich

Joe Klein

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

1:30 PM

2:16-25444 Wladimir John Klimenko

Chapter 7

Adv#: 2:17-01217 Gonzalez v. Brown et al

- #2.00** Cont'd status conference re: Complaint for: (1) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §544(b)(1), 548(a)(1)(A), and 550, and California Civil Code §3439.04(a)(1); (2) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(I), and 550, and California Civil Code §3439.05; (3) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(II) and 550, and California Civil Code §3439.04(a)(2)(A); (4) Avoidance and recovery of fraudulent transfer pursuant to 11 U.S.C. §§544(b)(1), 548(a)(1)(B)(i)(ii)(III), and 550, and California Civil Code §3439.04(a)(2)(A); (5) Preservation of avoided transfer pursuant to 11 U.S.C. §551; (6) Disallowance of claim pursuant to 11 U.S.C. §502(d); and (7) Disallowance of claim pursuant to 11 U.S.C. §502(b)
fr. 7/10/18, 8/21/18, 10/23/18

Docket 1

***** VACATED *** REASON: Cont'd from 12/4/18 to 2/12/19 at 1:30 p.m.
per stip & order entered on 11/26/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. Continued by stipulation and order to 2/12/19 at 1:30 p.m. No appearances are required on 12/4/18.

Prior tentative ruling as of 7/9/18. The court has reviewed the joint status report and notes that the parties have not had their LBR 7026-1 conference. The court is inclined to continue the status conference until the parties have completed their LBR 7026-1 conference and suggests that they conduct the business of LBR 7026-1 conference before the status conference to obviate the need for a continuance. Appearances are required on 7/10/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/11/17. Appearances are required on 9/12/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status reports filed by the various parties. No tentative ruling on the merits. Appearances are required on 5/30/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

1:30 PM

CONT... Wladimir John Klimenko

Chapter 7

Party Information

Debtor(s):

Wladimir John Klimenko

Represented By
Stephen S Smyth
William J Smyth

Defendant(s):

Robert Anthony Brown

Pro Se

Law Office of Robert Brown

Pro Se

Acquplied Assets, B.T.

Pro Se

Wladimir John Klimenko

Pro Se

Wladimir J. Klimenko Living Trust

Pro Se

Jeffrey Alan Abraham

Pro Se

JMS Financial, Inc

Pro Se

Deanna Shapiro

Pro Se

BANK OF THE WEST

Pro Se

Plaintiff(s):

Rosendo Gonzalez

Represented By
Sherri S Shafizadeh
Thomas A Fasel

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

1:30 PM

2:18-15474 Rafael H. Conchucos

Chapter 7

Adv#: 2:18-01246 Conchucos v. U.S. DEPARTMENT OF EDUCATION C/O FEDLOAN

#3.00 Cont'd status conference re: Complaint for hardship discharge - student loan
fr. 10/2/18

Docket 1

Tentative Ruling:

Set a discovery cutoff date of 3/31/19, and a pretrial conference for 5/7/19 at 2:00 p.m. The joint pretrial stipulation must be filed on or before 4/30/19. Appearances are required on 12/4/18.

Party Information

Debtor(s):

Rafael H. Conchucos

Represented By
Shirlee L Bliss

Defendant(s):

U.S. DEPARTMENT OF

Pro Se

Joint Debtor(s):

Diana Conchucos

Represented By
Shirlee L Bliss

Plaintiff(s):

Diana Conchucos

Represented By
Shirlee L Bliss

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

1:30 PM

2:18-17189 Seven-Bros Enterprises, Inc.

Chapter 7

#4.00 Cont'd status conference re: Motion for order to show cause pursuant to Local Bankruptcy Rule 9020-1 why the debtor should not be held in contempt for violating a court order
fr. 10/2/18, 10/23/18

Docket 36

***** VACATED *** REASON: Cont'd from 12/4/18 to 1/29/19 at 1:30 p.m.
per stip & order entered on 12/3/18-mb.**

Tentative Ruling:

Revised tentative ruling as of 12/3/18. Off calendar. Continued by stipulation and order to 1/29/19 at 1:30 p.m. No appearances are required on 12/4/18.

Revised tentative ruling as of 10/22/18. Off calendar. Continued by stipulation and order to 12/4/18 at 1:30 p.m. No appearances are required on 10/23/18.

No tentative ruling as of 10/1/18. Appearances are required on 10/2/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Seven-Bros Enterprises, Inc.

Represented By
Robert S Marticello
Gregory M Salvato

Trustee(s):

Rosendo Gonzalez

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01083 Diamond, Chapter 7 Trustee, Plaintiff v. Rana

- #4.10** Cont'd status conference re: Complaint (1) To avoid and recover preferential transfers; (2) To avoid and recover fraudulent or avoidable transfers; (3) For imposition of constructive trust; (4) For unjust enrichment; (5) For turnover; and (6) To disallow claims
fr. 4/4/18, 7/31/18, 11/27/18

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on 12/3/18-mb.**

Tentative Ruling:

Revised tentative ruling as of 12/3/18. Off calendar. Adversary proceeding dismissed by stipulation and order by reason of settlement. No appearances are required on 12/4/18.

Prior tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/3/18. Off calendar. The court has reviewed the joint status report stating that the matter is settled and requesting a continuance of 90 to 120 days. The court on its own motion continues the status conference to 7/31/18 at 1:30 p.m., and a joint status report is due on 7/24/18. No appearances are required on 4/4/18, and counsel for plaintiff to notify counsel for defendant of the continuance.

No updated tentative ruling as of 9/1/17. Appearances are required on 9/5/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report advising that the matter is being settled. No tentative ruling on the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Off calendar. The court has reviewed the joint status report requesting a 60 day continuance of the status conference for the parties to consummate their settlement. The court on its own motion continues the status conference to 7/25/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 5/23/17.

Revised tentative ruling as of 3/20/17. Off calendar. The court has reviewed the joint status report as well as the supplement filed on 3/17/17 reporting that the parties reached a settlement during mediation and requesting a 60 day continuance of the status conference. The court on its own motion continues the status conference to 5/23/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling. Set discovery cutoff date of 12/31/16 and a further status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation, parties to submit request for selection of mediator and alternate by 7/31/16, and complete mediation by 1/17/16. If the parties agree to these dates, appearances are optional on 4/26/16, and plaintiff to submit proposed scheduling order within 7 days of hearing if the parties agree to these dates. If the parties do not agree to these rulings and dates or if parties wish to discuss status of matter at status conference, appearances are required on 4/26/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Aj Rana

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Plaintiff(s):

Richard K. Diamond, Chapter 7

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

1:30 PM

2:13-28497 Corona Care Convalescent Corporation

Chapter 7

Adv#: 2:16-01158 Diamond v. Vital Rehab Services, Inc.

#4.20 Cont'd status conference re: Complaint: (1) To avoid and recover post petition transfers; (2) For imposition of constructive trust; (3) For unjust enrichment; (4) For turnover; and (5) To disallow claims
fr. 4/4/18, 7/31/18, 11/27/18

Docket 1

***** VACATED *** REASON: Dismissed per stip & order entered on
12/3/18-mb.**

Tentative Ruling:

Revised tentative ruling as of 12/3/18. Off calendar. Adversary proceeding dismissed by stipulation and order by reason of settlement. No appearances are required on 12/4/18.

Prior tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/3/18. Off calendar. The court has reviewed the joint status report stating that the matter is settled and requesting a continuance of 90 to 120 days. The court on its own motion continues the status conference to 7/31/18 at 1:30 p.m., and a joint status report is due on 7/24/18. No appearances are required on 4/4/18, and counsel for plaintiff to notify counsel for defendant of the continuance.

No updated tentative ruling as of 9/1/17. Appearances are required on 9/5/17, but counsel may appear by telephone.

Prior tentative ruling as of 7/24/17. The court has reviewed the joint status report advising that the matter is being settled. No tentative ruling on the merits. Appearances are required on 7/25/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Prior tentative ruling as of 5/22/17. Off calendar. The court has reviewed the joint status report requesting a 60 day continuance of the status conference for the parties to consummate their settlement. The court on its own motion continues the status conference to 7/25/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 5/23/17.

Revised tentative ruling as of 3/20/17. Off calendar. The court has reviewed the joint status report as well as the supplement filed on 3/17/17 reporting that the parties reached a settlement during mediation and requesting a 60 day continuance of the status conference. The court on its own motion continues the status conference to 5/23/17 at 1:30 p.m. in order for the parties to finalize their settlement. No appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/21/17, but counsel may appear by telephone.

Prior tentative ruling. Set discovery completion date of 12/31/16 and set a post-discovery status conference for 1/17/17 at 1:30 p.m. Order the matter to mediation under the court's mediation program, and parties to file a request for selection of mediator and alternate by 9/30/16 and to complete mediation by 1/17/17. Appearances are required on 5/24/16, but counsel may appear by telephone. Plaintiff is ordered to submit a proposed scheduling order setting forth the court's rulings within 7 days of hearing.

Party Information

Debtor(s):

Corona Care Convalescent

Represented By
M Jonathan Hayes
Michael Jay Berger

Defendant(s):

Vital Rehab Services, Inc.

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

1:30 PM

CONT... Corona Care Convalescent Corporation

Chapter 7

Plaintiff(s):

Richard K. Diamond

Represented By
Walter K Oetzell

Trustee(s):

Richard K Diamond (TR)

Pro Se

Richard K Diamond (TR)

Represented By
Steven J Schwartz
Howard Kollitz
Walter K Oetzell

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

2:30 PM

2:15-15952 Fred Matthew Adelman

Chapter 7

#5.00 Hearing re: Motion objecting to debtor's claimed personal property exemptions

Docket 1303

Tentative Ruling:

Revised tentative ruling as of 12/4/18. The court withdraws the tentative ruling as to whether the motion was late-filed because the docket shows that trustee filed the motion on time on 11/13/18, but had to refile the motion on 11/14/18 due to an incorrect docketing code when originally filed. Thus, the motion was timely filed. In reconsidering the motion, the court will grant the motion for the reasons stated in the moving papers. Debtor has not sufficiently described the particular assets claimed as exempt in order for the trustee to investigate the exemptions either on his Schedule C to his bankruptcy petition or in his opposing papers. 11 U.S.C. 522(l); FRBP 4003(a). "The property must be set forth in sufficient detail to permit the bankruptcy trustee to investigate the exemptions." 2 March, Ahart and Shapiro, California Practice Guide: Bankruptcy, paragraph 7:210 at 7-27 - 7-28 (2017), citing Payne v. Wood, 775 F.2d 202, 207 (7th Cir. 1985). The trustee has shown that there is no such property that could be claimed as exempt that meets the description of paid earnings or retirement accounts that qualify for the claimed exemptions under California Code of Civil Procedure Sections 704.070 and 704.115 in light of debtor's final account filed at the time of conversion of the case to Chapter 7, and debtor has not sufficiently identified in his Schedule C or his opposition, or otherwise shown that there is property that could so qualify. Moreover, the court agrees with trustee that 11 U.S.C. 522(n) is not a proper statutory basis for an exemption as claimed by debtor. Thus, debtor has met his burden of proving his entitlement to the claimed exemptions under California law for his claimed California exemptions. In re Diaz, 547 B.R. 329, 337 (9th Cir. BAP 2016), citing California Code of Civil Procedure Sections 703.580(b) and 704.780(a). Appearances are required on 12/4/18.

Revised and updated tentative ruling as of 12/3/18 at 4:30 p.m. With respect to the opposition to trustee's motion filed by debtor's spouse, Kristen Whitney, purported on debtor's behalf, the court notes that debtor as a self-represented

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

2:30 PM

CONT... Fred Matthew Adelman

Chapter 7

party must appear on his own behalf pursuant to Local Bankruptcy Rule 9011-2, and Ms. Whitney, who is not an attorney at law admitted to practice before the federal courts in the Central District of California, may not represent him. To the extent that Ms. Whitney asserts that debtor is incompetent to represent himself, she cannot do it for him, and she has not been appointed by the court to serve as a guardian ad litem for him in accordance with Federal Rule of Bankruptcy Procedure 1004.1.

Deny trustee's motion objecting to debtor's claimed exemptions in part with prejudice and in part without prejudice because trustee's motion is untimely, not being filed within 30 days of the conclusion of the 11 U.S.C. 341(a) meeting of creditors on 10/12/14 (ECF 1295) as required by Federal Rule of Bankruptcy Procedure 4003(b)(1). The last day of the 30 day period after the conclusion of the creditors' meeting fell on a Sunday, 11/11/18, which meant that trustee had until the next day not a Saturday, Sunday or a legal holiday under Federal Rule of Bankruptcy Procedure 9006(a) to file the motion objecting to exemptions, which would have been 11/13/18, a Tuesday, since 11/12/18, a Monday which was observed as a legal holiday for Veterans' Day. Trustee's motion was filed on 11/14/18, a day late, and thus, the property claimed as exempt remains exempt, if it exists (although counsel's signatures on the motion and counsel declaration are dated 11/13/18, the case docket reflects that the motion was filed on 11/14/18 at "11:22:37," or at 11:22 a.m.). See *Preblich v. Battley*, 181 F.3d 1048, 1052 (9th Cir. 1999)("Unless a 'party in interest' files a 'timely' objection to the debtor's claim of exemption, the property claimed as exempt on such list is deemed exempt and any argument that the property is not exempt is waived."), citing inter alia, 11 U.S.C. 522(l) and Federal Rule of Bankruptcy Procedure 4003(b). The motion is denied with prejudice as to the claimed exempt property to the extent it exists. However, it is unclear whether such exempt property exists or the property that the trustee is holding in the estate is such exempt property because the property listed on debtor's final report and account, ECF 761, filed on 2/13/17, does not include property that could be claimed as exempt. Trustee is seeking declaratory relief that the real estate assets that he is holding is not exempt, but fails to describe such assets in his moving papers or provide any evidence showing what these real estate assets are. Thus, the court denies the motion because there is insufficient information or evidence to tell whether the property is subject to the exemption, but the denial is without

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

2:30 PM

CONT... Fred Matthew Adelman

Chapter 7

prejudice to trustee's showing in a future motion that such assets are not property covered by the claimed exemptions (if the property is covered by the claimed exemption, it would be exempt because there was no timely objection to the exemption).

Appearances are required on 12/4/18.

Party Information

Debtor(s):

Fred Matthew Adelman

Represented By
Gary E Devlin
Fahim Farivar
Dare Law

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes
D Edward Hays
Kristine A Thagard

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

2:30 PM

2:17-13387 Gerardo Iniguez

Chapter 7

#6.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Wesley H. Avery, Chapter 7 Trustee]

Docket 85

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 12/4/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Gerardo Iniguez

Represented By
Grace White

Trustee(s):

Wesley H Avery (TR)

Represented By
Joseph E. Caceres

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

2:30 PM

2:17-13387 Gerardo Iniguez

Chapter 7

#7.00 Hearing re: Application for fees and expenses
[Caceres & Shamash, LLP, Attorney for Chapter 7 Trustee]

Docket 83

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 12/4/18, but trustee and counsel may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Gerardo Iniguez

Represented By
Grace White

Trustee(s):

Wesley H Avery (TR)

Represented By
Joseph E. Caceres

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

2:30 PM

2:17-13387 Gerardo Iniguez

Chapter 7

#8.00 Hearing re: Application for fees and expenses
[Hahn Fife & Company, Accountant for Chapter 7 Trustee]

Docket 77

Tentative Ruling:

Off calendar. The court has authorized employment and payment of fees of accountant for trustee by order filed and entered on 8/24/18, and fees are included in the trustee's final report. No appearances are required on this matter on 12/4/18.

Party Information

Debtor(s):

Gerardo Iniguez

Represented By
Grace White

Trustee(s):

Wesley H Avery (TR)

Represented By
Joseph E. Caceres

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

2:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

#9.00 Cont'd hearing re: First and final fee application of Terzian Law Group, a professional corporation, attorneys for debtor and debtor in possession
fr. 11/6/18

Docket 221

***** VACATED *** REASON: Voluntary dismissal filed on 11/26/18-mb.**

Tentative Ruling:

Off calendar. Application withdrawn by notice of voluntary dismissal filed on 11/26/18. No appearances are necessary.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz
Tamar Terzian

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

2:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

#10.00 Hearing re: Application for payment of final fees and/or expenses for Lighthouse Consultants, Inc, accountant (11 U.S.C. §330)

Docket 230

***** VACATED *** REASON: Voluntary dismissal filed on 11/26/18-mb.**

Tentative Ruling:

Off calendar. Application withdrawn by notice of voluntary dismissal filed on 11/26/18. No appearances are necessary.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz
Tamar Terzian

Trustee(s):

Wesley H. Avery

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 4, 2018

Hearing Room 1675

2:30 PM

2:17-25646 Ary Jorge Andres Aguilar

Chapter 7

#11.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Peter J. Mastan, Chapter 7 Trustee]

Docket 28

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 12/4/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Ary Jorge Andres Aguilar

Represented By
Stephen L Burton

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#1.00 Cont'd hearing re: Motion of Robins Kaplan LLP for allowance of administrative expense claim pursuant to section 503(b)(4) of the bankruptcy code fr. 1/31/18, 6/6/18, 8/8/18

Docket 2112

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Off calendar. Matter resolved by stipulation and order. No appearances are necessary.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
Thomas M Geher
David W. Meadows
David W. Meadows
Jerome S Cohen
Jerome S Cohen
Carolyn A Dye
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#2.00 Cont'd hearing re: Fourth and final application of Levene, Neale, Bender, Yoo & Brill L.L.P. for approval of fees and reimbursement of expenses for Kurt Ramlo, Debtor's Attorney, Period: 11/16/2015 to 5/6/2016, Fee: \$618,081.00, Expenses: \$44,014.52. fr. 1/31/18, 6/6/18, 8/8/18

Docket 2000

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 10:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 8/7/18. No tentative ruling on the merits. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. No tentative ruling on the merits. Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 8/14/17. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

No updated tentative ruling as of 2/13/17. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

10:00 AM

CONT... **Art and Architecture Books of the 21st Century**
2/15/17, but counsel may appear by telephone.

Chapter 11

No updated tentative ruling as of 11/28/16. Appearances are required on 11/30/16, but counsel may appear by telephone.

No tentative ruling as of 9/19/16. The court has not completed its review of the application and will continue the hearing. Appearances are required on 9/21/16 to discuss continuance, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#3.00 Cont'd hearing re: Fourth and final application of SulmeyerKupetz, a professional corporation, general bankruptcy counsel for official committee of unsecured creditors, for allowance and payment of fees and expenses, Period: 11/14/2015 to 4/6/2016, Fee: \$1,222,090.50, Expenses: \$71,194.27.
fr. 1/31/18, 6/6/18, 8/8/18

Docket 2004

Courtroom Deputy:

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 10:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 8/7/18. No tentative ruling on the merits. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. No tentative ruling on the merits. Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 8/14/17. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

10:00 AM

CONT... Art and Architecture Books of the 21st Century Chapter 11

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

No tentative ruling as of 9/19/16. The court has not completed its review of the application and will continue the hearing. Appearances are required on 9/21/16 to discuss continuance, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#4.00 Cont'd status conference re: Post confirmation of plan
fr. 1/31/18, 6/6/18, 8/8/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 10:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 8/7/18. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. The court has reviewed the plan agent's status report. No tentative ruling on the merits. Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/30/18. The court has reviewed the plan agent's status report. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. The court has reviewed plan agent's status report. No tentative ruling on the merits. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

10:00 AM

CONT... Art and Architecture Books of the 21st Century Chapter 11

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the plan agent's postconfirmation status report. No tentative ruling on the merits. The court is interested in hearing from the plan agent and the parties regarding the status of plan implementation in light of the current administrative insolvency of the case, including the ability of reorganized debtor to fund continuing operations, possible resolution of plan defaults from inability and failure of the estate/reorganized debtor to pay allowed administrative expense claims now due, and the status of settlement discussions with the Wilshire property landlord and art consignor creditors. Appearances are required on 9/21/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:12-15652 Dale Alfred Williams

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/22/18, 10/3/18, 11/7/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/6/18. The court is still deliberating on the trial in of debtor's objection to the claim of the Internal Revenue Service. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. The court is still deliberating on the trial in of debtor's objection to the claim of the Internal Revenue Service. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. Off calendar. The court continues the hearing on its own motion to 10/3/18 at 11:00 a.m. No appearances are required on 8/22/18.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 4/25/18 at 11:30 a.m. No appearances are required on 3/27/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 3/28/18 at 11:30 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/8/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 2/28/18 at 11:30 a.m. No appearances are required on 1/10/18.

Prior tentative ruling as of 9/11/17. Off calendar. In light of the pending motion of the United States Trustee to dismiss or convert now set for hearing on 10/25/17 at 11:30 a.m., the court on its own motion continues the status conference to 10/25/17 at 11:30 a.m. No appearances are required on 9/13/17.

Prior tentative ruling as of 4/3/17. Off calendar. In light of the pendency of

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

the litigation proceedings involving debtor's objection to the tax claims, the court on its own motion continues the status conference to 9/13/17 at 11:00 a.m. No appearances are required on 4/5/17.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/15/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/16/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/9/15. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of litigation disputes of debtor's objection to the IRS claim and creditor Rory Williams's motion to file late-filed claim. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed debtor's post-

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of debtor's objection to the IRS claim. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 8/25/14. Appearances are required on 8/27/14 to schedule a post-confirmation status conference, but counsel may appear by telephone.

Prior tentative ruling. The court continues on its own motion the status conference to 8/27/14 at 11:00 a.m. at which time the court will set a post-confirmation status conference in November 2014 since a post-confirmation status conference was not set at the confirmation hearing on 7/24/14. No appearances are required on 8/21/14

Party Information

Debtor(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

Movant(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:13-26021 L Scott Apparel Inc.

Chapter 11

#6.00 Cont'd status conference re: Post confirmation of plan
fr. 8/22/18, 10/3/18, 11/7/18

Docket 140

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Updated tentative ruling as of 11/5/18. The court is still deliberating on the adversary proceeding and contested matters involving Lowell Sherron and Beyond Basics and expects to issue a ruling by 11/30/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Updated tentative ruling as of 10/1/18. The court is still deliberating on the adversary proceeding and contested matters involving Lowell Sherron and Beyond Basics. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. The court is still deliberating on the adversary proceeding and contested matters involving Lowell Sherron and Beyond Basics. Otherwise, no tentative ruling on the merits. Appearances

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

are required on 8/22/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/19/18. Off calendar. The court continues the status conference on its own motion to 4/25/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/25/18. No appearances are required on 3/21/18.

Prior tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Corrected tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Updated tentative ruling as of 1/23/17. Off calendar. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 10/17/16. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. In light of the current pending litigation, especially the Sharron adversary proceeding, it seems that a further status conference should be set in about 120 days. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 12/1/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 12/2/15, but counsel may appear by telephone.

Prior tentative ruling as of 7/27/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 7/29/15 to discuss scheduling of further post-confirmation proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 3/9/15. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 12/2/14. The court has reviewed liquidating

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

trustee's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of claims as described in the status report. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/2/14. Appearances are required on 9/3/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 9/3/14 at 11:00 a.m. to allow the parties a limited opportunity to continue in plan modification negotiations. No appearances are required on 8/21/14.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

Movant(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#7.00 Cont'd hearing re: Motion for entry of order conditionally dismissing bankruptcy case fr. 8/1/18, 10/3/18, 11/7/18

Docket 479

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Updated tentative ruling as of 11/6/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. The court expects to issue its ruling by 12/31/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Updated tentative ruling as of 10/1/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... **Sarkis Investments Company, LLC** **Chapter 11**

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. Appearances are required on 3/22/17.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. The court has concerns regarding the propriety of a "structured" dismissal (called "conditional" dismissal in the moving papers), i.e., whether the record is sufficient to warrant deviation from the normal procedures expressly provided in the Bankruptcy Code, i.e., a liquidating plan, case conversion or straight dismissal without conditions, or whether more broadly, whether structured dismissals are permitted at all, which may be at issue before the Supreme Court in *In re Jevic Holding Corp.*, 787 F.3d 173 (3rd Cir. 2015), cert. granted, *Czyzewski v. Jevic Holding Corp.* 136 S.Ct. 2541 (2016). See also, Transcript of Oral Argument, *Czyzewski v. Jevic Holding Corp.*, No. 15-649 (S.Ct., argued December 7, 2016); see also, e.g., Salerno, Hansen, Meyer, Schuster and Barsharis, *Advanced Chapter 11 Bankruptcy Practice*, Section 12.22 (2nd ed. online, 2016 Cum. Supp.); Greenberg, Smith and Taylor, "The Elephant Hiding in the Mousehole": *In re Jevic*, 2016 No. 10 Norton Bankr. L. Adviser NL 1 (online ed., October 2016); Pernick and Dean, "Structured Chapter 11 Dismissals: A Viable and Growing Alternative After Asset Sales," 29 Am. Bankr. Inst. J. 1 (June 2010); Eitel, Tinker and Lambert, "Structured Dismissals, or Cases Dismissed Outside of Code's Structure?", 30 Am. Bankr. Inst. J. 20 (March 2011). Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Fahim Farivar

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#8.00 Cont'd hearing re: Motion for approval of chapter 11 disclosure statement
fr. 8/1/18, 10/3/18, 11/7/18

Docket 157

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/6/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. The court expects to issue its ruling by 12/31/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Updated tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

are required on 5/12/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits.
Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits.
Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's
own motion to 1/11/17 at 11:00 a.m. No appearances are required on
12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits.
Appearances are required on 10/19/16, but counsel may appear by
telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits.
Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits.
Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. No tentative ruling on the merits.
Appearances are required on 5/4/16, but counsel may appear by telephone.

Updated tentative ruling as of 4/11/16. Off calendar. The court has reviewed
debtor's status report requesting that the hearing be continued to 5/4/16 at
11:00 a.m. to be heard with the continued hearing on debtor's objection to the
claim of creditor Zehnaly. The court on its own motion grants this request
and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are
required on 4/13/16.

No updated tentative ruling as of 1/25/16. Appearances are required on
1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. Appearances are required on 10/28/15,
but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

Prior tentative ruling as of 4/15/14. Appearances are required on 4/16/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan. Debtor has indicated that it intends to revise the disclosure statement to address objections of United States Trustee.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

Movant(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#9.00 CONT'D TRIAL RE: Final application for approval of compensation and expense reimbursement of Baker & Hostetler LLP fr. 8/1/18, 10/3/18, 11/7/18

Docket 482

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/6/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. The court expects to issue its ruling by 12/31/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. Off calendar. The court continues the hearing on its own motion to 10/3/18 at 11:00 a.m. No appearances are required on 8/1/18.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling. Updated tentative ruling as of 5/11/17. No tentative ruling on the merits. The court will continue to take oral testimony from

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

witness Ashley McDow. Appearances are required on 5/12/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 5/1/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Marc Benezra. Appearances are required on 5/3/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#10.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/1/18, 10/3/18, 11/7/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/6/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. The court expects to issue its ruling by 12/31/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are required on 11/7/18 because creditor Zehnaly appeared at the last status conference and may appear to be heard on his claim, but counsel may appear by telephone.

Updated tentative ruling as of 10/1/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the status conference on its own motion to 12/13/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 12/13/17. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court has reviewed debtor's status report. In that the court is still deliberating on the final fee application of general bankruptcy counsel for debtor, the court continues the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

status conference on its own motion to 10/25/17 at 1:30 p.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Updated tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

Prior tentative ruling as of 1/25/16. The court has reviewed debtor's status report. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. No tentative ruling on the merits. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... **Sarkis Investments Company, LLC**
counsel may appear by telephone.

Chapter 11

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

No updated tentative ruling as of 4/15/14. Appearances are required on 4/16/14.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan.

Prior tentative ruling as of 3/10/14. No tentative ruling on the merits. Appearances are required on 3/12/14, but counsel may appear by telephone.

Updated tentative ruling as of 2/24/14. No tentative ruling on the merits. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/14. The court has reviewed debtor's status report and the comments of the secured creditor on status. No tentative ruling. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 11/19/13. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

Prior tentative ruling as of 10/7/13. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Appearances are required on 10/9/13.

Updated tentative ruling as of 9/18/13. Off calendar. Continued at hearing on 9/17/13 to 10/9/13 at 11:30 a.m. No appearances required on 9/18/13.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/18/13, but counsel may appear by telephone.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#11.00 Cont'd hearing re: Motion to approve compromise under Rule 9019 (Debtor's Settlement w/Banc of California, N.A.), in addition to motion for authority to obtain credit under Section 364(b), Rule 4001(c) or (d) (under Section 364(c)) fr. 11/7/18

Docket 554

Courtroom Deputy:

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling. The motion is deficient because: (1) not all creditors were served as required by FRBP 2002(a)(2), 4001(c)(1)(C), 9013, 9014 and 9109, and the unserved creditors from the creditor mailing matrix are: Trope and Trope LLP, LEA Accountancy LLP, Absolute Resolutions Investments, LLC and Leonard L. Gumpert; (2) the mandatory court form, F 4001-2.STMT.FINANCE, was not filed as required by LBR 4001-2(a). The court is inclined to continue the hearing so debtor can correct these deficiencies. Appearances are required on 11/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#12.00 Cont'd final pretrial conference re: Motion to disallow claims of Banc of California, N.A.
fr. 6/27/18, 8/29/18, 11/7/18

Docket 372

Courtroom Deputy:

[Cont'd from 11/7/18 to 12/5/18 at 11:00 a.m. per stip & order entered on 11/6/18]

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/6/18. Off calendar. Continued by stipulation and order to 12/5/18 at 11:00 a.m. No appearances are required on 11/7/18.

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#13.00 Cont'd hearing re: Application for payment of: final fees an/or expenses for David A Tilem, Debtor's Attorney, Period: 6/21/2017 to 7/31/2018, Fee: \$56,790.00, Expenses: \$2,884.39.
fr. 8/28/18, 10/24/18

Docket 98

Courtroom Deputy:

[Cont'd from 10/24/18 to 12/5/18 at 11:00 a.m. per order entered on 10/22/18]

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Revised and updated tentative ruling as of 10/22/18 at 5:30 p.m. Off calendar. Off calendar. Continued to 12/5/18 at 11:00 a.m. by order granting debtor's motion for continuance filed on or about 10/22/18. No appearances are required on 10/24/18.

Party Information

Debtor(s):

Peter G. Kudrave

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#14.00 Hearing re: Debtor's motion for an order disallowing proof of claim 8 purportedly filed on behalf of U.S. Bank, National Association

Docket 328

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:18-21789 Samuel Marquez

Chapter 11

#15.00 Status conference re: Management of chapter 11 case

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 12/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Samuel Marquez

Represented By
Onyinye N Anyama

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#16.00 Hearing re: Application of debtor and debtor in possession to employ Levene, Neale, Bender, Yoo & Brill L.L.P. as bankruptcy counsel pursuant to 11 U.S.C § 327(a), with compensation determined pursuant to 11 U.S.C. §§ 330 and 331

Docket 12

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/6/18 at 10:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#17.00 Hearing re: Application of debtor and debtor in possession to employ LKP Global Law, LLP as special employment and labor counsel pursuant to 11 U.S.C § 327(e), with compensation determined pursuant to 11 U.S.C. §§ 330 and 331

Docket 20

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/6/18 at 10:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#18.00 Hearing re: Application of debtor and debtor-in-possession to employ GlassRatner Advisory & Capital Group, LLC as financial advisor pursuant to 11 U.S.C. § 327 with compensation proposed to be paid pursuant to 11 U.S.C. § 330

Docket 27

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/6/18 at 10:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:18-10551 Nina Mosby

Chapter 11

#18.10 Cont'd status conference re: Management of chapter 11 case
fr. 5/16/18, 8/29/18, 11/28/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/27/18. The court has reviewed debtor's status report filed on 8/15/18. No tentative ruling on the merits. Appearances are required on 8/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/11/18. The court has reviewed debtor's status report filed on 5/9/18. No tentative ruling on the merits. Appearances are required on 5/16/18, but counsel may appear by telephone.

Updated tentative ruling as of 3/5/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/7/18, but

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... **Nina Mosby**
counsel may appear by telephone.

Chapter 11

Party Information

Debtor(s):

Nina Mosby

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker, Sr

Chapter 11

#18.20 Cont'd order to show cause why debtor Gary Wayne Barker, Sr., and/or his attorney Dennis McGoldrick should not be sanctioned for failure to appear at the October 17, 2018 post confirmation status conference fr. 11/28/18

Docket 229

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/26/18. Appearances are required on 11/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E McGoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker, Sr

Chapter 11

#18.30 Cont'd hearing re: Application to convert case to chapter 7 based upon debtor's failure to comply with prior court order fr. 11/28/18

Docket 232

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E McGoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker

Chapter 11

#18.40 Cont'd status conference re: Post confirmation of plan
fr. 5/23/18, 6/27/18, 10/17/18, 11/28/18

Docket 123

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/26/18. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/15/18. No tentative ruling on the merits, but debtor will need to address the notice of delinquency filed by the United States Trustee and to state when he will be filing a motion for entry of final decree. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/21/18. No tentative ruling on the merits. Appearances are required on 5/23/18, but counsel may appear by telephone.

Updated tentative ruling as of 2/12/18. The court has reviewed debtor's status report. Debtor will need to address the notice of delinquency in filing United States Trustee reporting requirements filed on 1/2/18. Appearances

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

are required on 2/13/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits. Appearances are required on 10/18/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/11/17. Appearances are required on 9/13/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/10/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Updated tentative ruling as of 10/17/16. The court has reviewed debtor's status report and declaration and exhibits attached thereto. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Debtor to explain whether the checks attached to his declaration filed on 9/16/16 have brought the plan entirely current. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/7/16. Appearances are required on 3/9/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

Prior tentative ruling as of 2/1/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 2/3/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 11/23/15. The court has reviewed debtor's post-confirmation status report. Appearances are required on 11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/25/15. Appearances are required on 8/26/15, but counsel may appear by telephone.

Prior tentative ruling as of 4/13/15. Off calendar. The court has reviewed debtor's post-confirmation status report and sets a further status conference on its own motion to 8/26/15 at 11:00 a.m. A further status report is due 8/21/15. No appearances are required on 4/15/15.

Prior tentative ruling as of 1/26/15. Off calendar. The court has reviewed debtor's post-confirmation status report and continues the status conference on its own motion to 4/15/15 at 11:00 a.m. A further status report is due 4/8/15. No appearances are required on 1/28/15.

Prior tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 7/21/14. Appearances are required on 7/23/14, but counsel may appear by telephone.

Prior tentative ruling as of 7/8/14. No tentative ruling on the merits. Appearances are required on 7/9/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/7/14, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

Prior tentative ruling. The court has reviewed debtor's post-confirmation status report and continues the status conference to 5/7/14 at 11:00 a.m. No appearances required on 11/6/13, but a further status report is due on 4/30/14.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E Mcgoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

11:30 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#18.50 Cont'd hearing re: Debtor's motion for the entry of an order: (1) approving the sale of real property free and clear of all liens, claims, encumbrances, and interests, with the exception of enumerated exclusions, subject to overbid, (2) finding that the buyer is good faith purchaser, (3) approving bidding procedures and break-up fee, (4) authorizing and approving the payment of certain claims from sale proceeds, and (5) waiving the fourteen-day stay period set forth in Bankruptcy Rule 6004(h) fr. 11/28/18

Docket 337

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

No tentative ruling as of 11/27/18. Appearances are required on 11/28/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

1:30 PM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#19.00 Cont'd hearing re: Unsecured creditor, Emma Borges' motion for order re: convert the debtor's chapter 11 case to a chapter 7 case re: §1112 of the Bankruptcy Code fr. 11/14/18

Docket 180

Courtroom Deputy:

[Ch 11 s/c set on 12/11/18 at 11:00 a.m.]

Tentative Ruling:

Updated tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/19/18 at 1:30 p.m. No appearances are required on 12/5/18.

Prior tentative ruling. Overrule evidentiary objections of debtor to Polis declaration. The court is inclined to order debtor to file a written outline of how this case will reorganize with an estimated timetable by 11/21/18 and set a further and separate hearing on the motion on 11/28/18 at 10:00 a.m. to discuss the status of debtor's reorganization efforts. Debtor's opposition really did not show much in the way of the presence of a reasonable likelihood of reorganization to persuade the court to deny the motion at the hearing on 11/14/18, which is somewhat disconcerting, given the age of this case, now approaching its one year anniversary on 11/30/18. The court thinks debtor must make some showing of a reasonable likelihood of a confirmable plan within a reasonable period of time, or otherwise it might be convinced to grant the motion. Appearances are required on 11/14/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 5, 2018

Hearing Room 1675

1:30 PM

CONT...

Advance Specialty Care, LLC

Raymond H. Aver

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 6, 2018

Hearing Room 1675

9:00 AM

2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01153 Michael C. Lin, Trustee of The Hellion Trust v. Martinez

#1.00 TRIAL RE: Complaint to except debt from discharge
fr. 12/19/17, 2/20/18, 10/9/18

Docket 1

***** VACATED *** REASON: Trial vacated per hearing held on 11/27/18-
mb.**

Tentative Ruling:

Updated tentative ruling as of 11/27/18. Based on the oral ruling of the court at the pretrial conference on 11/27/18, the court vacated the trial set for 12/6/18. No appearances are required on 12/6/18.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits. Appearances are required on 2/20/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/18/17. No tentative ruling on the merits. Appearances are required on 12/19/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 11/13/17. No tentative ruling on the merits. Appearances are required on 11/14/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the unilateral status report filed by defendant. Set a discovery cutoff date of 10/31/17 and a further postdiscovery status conference for 11/10/17 at 1:30 p.m. with a joint status report due on 11/3/17. Order the matter to mediation, the parties are to file a request for selection of mediator and alternate mediator by 5/19/17 and complete mediation by 11/10/17. Appearances are required on 4/18/17, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 6, 2018

Hearing Room 1675

9:00 AM

CONT... Anthony Roy Martinez

Chapter 7

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Michael C. Lin, Trustee of The

Represented By
Henry D Paloci

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 6, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#2.00 Cont'd hearing re: Emergency application of debtor and debtor-in-possession to employ Stapleton Group as chief restructuring officer pursuant to 11 U.S.C. §§ 327 and 330 fr. 11/30/18

Docket 104

***** VACATED *** REASON: Cont'd from 12/6/18 to 12/14/18 at 1:30 p.m.
per order entered on 12/4/18-mb.**

Tentative Ruling:

Revised tentative ruling as of 12/6/18. Off calendar. Continued to 12/14/18 at 1:30 p.m. by order entered on 12/4/18. No appearances are required on 12/6/18.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 6, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#3.00 Cont'd hearing re: Debtor's emergency motion for entry of interim order: (I) authorizing the debtor to obtain postpetition financing pursuant to 11 U.S.C. §§ 105, 361, 362 and 364 on an interim basis pending a final hearing, (II) scheduling a final hearing pursuant to Bankruptcy Rule 4001(c); and (III) granting related relief fr. 11/30/18

Docket 99

***** VACATED *** REASON: Cont'd from 12/6/18 to 12/14/18 at 1:30 p.m.
per order entered on 12/4/18-mb.**

Tentative Ruling:

Revised tentative ruling as of 12/6/18. Off calendar. Continued to 12/14/18 at 1:30 p.m. by order entered on 12/4/18. No appearances are required on 12/6/18.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 6, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#4.00 Cont'd hearing re: Application of debtor and debtor in possession to employ LKP Global Law, LLP as special employment and labor counsel pursuant to 11 U.S.C § 327(e), with compensation determined pursuant to 11 U.S.C. §§ 330 and 331 fr. 12/5/18

Docket 20

***** VACATED *** REASON: Cont'd from 12/6/18 to 12/14/18 at 1:30 p.m.
per order entered on 12/4/18-mb.**

Tentative Ruling:

Revised tentative ruling as of 12/6/18. Off calendar. Continued to 12/14/18 at 1:30 p.m. by order entered on 12/4/18. No appearances are required on 12/6/18.

Tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/6/18 at 10:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 6, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#5.00 Cont'd hearing re: Application of debtor and debtor-in-possession to employ GlassRatner Advisory & Capital Group, LLC as financial advisor pursuant to 11 U.S.C. § 327 with compensation proposed to be paid pursuant to 11 U.S.C. § 330 fr. 12/5/18

Docket 27

***** VACATED *** REASON: Cont'd from 12/6/18 to 12/14/18 at 1:30 p.m.
per order entered on 12/4/18-mb.**

Tentative Ruling:

Revised tentative ruling as of 12/6/18. Off calendar. Continued to 12/14/18 at 1:30 p.m. by order entered on 12/4/18. No appearances are required on 12/6/18.

Tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/6/18 at 10:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 6, 2018

Hearing Room 1675

10:00 AM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#6.00 Cont'd hearing re: Application of debtor and debtor in possession to employ Levene, Neale, Bender, Yoo & Brill L.L.P. as bankruptcy counsel pursuant to 11 U.S.C § 327(a), with compensation determined pursuant to 11 U.S.C. §§ 330 and 331 fr. 12/5/18

Docket 12

***** VACATED *** REASON: Cont'd from 12/6/18 to 12/14/18 at 1:30 p.m.
per order entered on 12/4/18-mb.**

Tentative Ruling:

Revised tentative ruling as of 12/6/18. Off calendar. Continued to 12/14/18 at 1:30 p.m. by order entered on 12/4/18. No appearances are required on 12/6/18.

Tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/6/18 at 10:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, December 7, 2018

Hearing Room 1675

9:00 AM

2:18-18036 Ulis Perez Avina and Marina Alexandra Reyes

Chapter 7

**#1.00 TRIAL RE: Motion to avoid lien with Pakfar Sportswear, Inc.
fr. 10/2/18**

Docket 12

***** VACATED *** REASON: Resolved per stip & order entered on
11/26/18-mb.**

Tentative Ruling:

Off calendar. Motion resolved by stipulation and order, and hearing vacated.
No appearances are necessary.

Party Information

Debtor(s):

Ulis Perez Avina

Represented By
Michelle A Marchisotto

Joint Debtor(s):

Marina Alexandra Reyes

Represented By
Michelle A Marchisotto

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

10:30 AM

2:10-60711 Brunelle Equities LLC

Chapter 11

#1.00 Hearing re: Motion for relief from stay
(HSBC Bank USA VS Debtor)

Docket 265

Tentative Ruling:

Off calendar. Continued by stipulation and order to 2/27/19 at 11:00 a.m. No appearances are required on 12/11/18.

Party Information

Debtor(s):

Brunelle Equities LLC

Represented By
Raymond H. Aver

Movant(s):

Christiana Trust, a division of

Represented By
Jeannette Marsala
John P Ward

HSBC Bank USA, National

Represented By
Kelly M Raftery

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

10:30 AM

2:18-18999 John Donald Marshall

Chapter 7

#2.00 Hearing re: Motion for relief from stay
(Terry Solomon VS Debtor)

Docket 28

Tentative Ruling:

Deny movant's requests for extraordinary relief in paragraphs 7 and 9 for lack of legal authority and/or evidentiary support. In re Van Ness, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

Deny movant's request for relief under 11 U.S.C. 362(b)(22) that there is no stay since movant has not met the conditions of these provisions with evidence of a valid judgment for possession under 11 U.S.C. 362(b)(22) (movant's judgment was obtained in violation of the automatic stay after the bankruptcy case was filed).

Deny movant's request for relief under 11 U.S.C. 362(b)(23) that there is no stay since movant has not met the conditions of these provisions with evidence of debtor's endangerment of the subject property or illegal use of controlled substances on such property under 11 U.S.C. 362(b)(23).

Deny debtor's request for damages based on alleged violation of stay without prejudice because movant will need to bring his own motion for contempt under Local Bankruptcy Rule 9020-1 for the court to consider the stay violation as a contempt proceeding.

Grant movant's request for stay relief under 11 U.S.C. 362(d)(1) and (2) for cause to allow movant to pursue its nonbankruptcy legal remedies, such as prosecuting his unlawful detainer action in state court because debtor has no interest in the subject real property, thus, the property is not needed for the reorganization of debtor since this is a liquidation case, and there is no bankruptcy purpose to keep the stay in place because there is no value in debtor's residential tenancy for the Chapter 7 trustee to administered for the creditors. However, the unlawful detainer judgment obtained by movant in violation of stay is void. The unlawful detainer case will have to be redone,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

10:30 AM

CONT... John Donald Marshall

Chapter 7

and debtor can raise any defense he may have under state law, such as retaliatory eviction, in the unlawful detainer action in the state court.

Appearances are required on 12/11/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

John Donald Marshall

Pro Se

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

10:30 AM

2:18-20814 Joseph Flores-Beauchamp, Trustee of the Joseph Flo

Chapter 7

#3.00 Hearing re: Motion for relief from stay
(Santander Consumer USA Inc. VS Debtor)

Docket 8

Tentative Ruling:

Deny stay relief motion as moot because the case was dismissed on 11/8/18.
Appearances are optional on 12/11/18, but counsel may appear by
telephone.

Party Information

Debtor(s):

Joseph Flores-Beauchamp, Trustee Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

11:00 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#4.00 Cont'd status conference re: Management of chapter 11 case
fr. 5/9/18, 7/11/18, 10/17/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/15/18. No tentative ruling on the merits. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. The court has reviewed debtor's status report and request to continue the status conference. No tentative ruling on the merits. Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/6/18. The court has reviewed debtor's status report suggesting a continued status conference in about 60 days. No tentative ruling on the merits. Appearances are required on 3/7/18 to hear from other parties on status, including compliance with United States Trustee requirements, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 1/24/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

11:00 AM

CONT... Advance Specialty Care, LLC

Raymond H. Aver

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

1:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01535 Grand View Financial, LLC v. Tan et al

#5.00 Cont'd status conference re: Complaint for (1) declaratory relief regarding title to real property; (2) turnover of real property; and (3) turnover of property of the estate and accounting
fr. 1/16/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/10/18. Set a discovery cutoff date of 4/30/19 and a pretrial conference for 6/11/19 at 2:00 p.m. with the filing of the joint pretrial stipulation due on 6/4/19. Appearances are required on 12/11/18 to discuss scheduling and plaintiff's request for mediation referral, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

Prior tentative ruling. The court has reviewed the joint status report, but notes that the status report is incomplete because page 3 of the form status report is missing. Set a discovery cutoff date of 11/30/18 and a further postdiscovery status conference for 12/11/18 at 1:30 p.m. with a joint status report due on 12/4/18. Appearances are required on 1/16/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith

Defendant(s):

Stella Tan

Represented By
Larry D Webb

Wei Guo Tan, Trustee of the Sunlight

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

1:30 PM

CONT... Grand View Financial LLC

Chapter 11

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:00 PM

2:17-24993 Mary Katherine Cummins-Cobb

Chapter 7

Adv#: 2:18-01066 Khionidi v. Cummins-Cobb

#6.00 Pretrial conference re: Complaint objecting to discharge pursuant to §727(a)(2)-(5) and to determine the nondischargeability of debt pursuant to §523(a)(6) fr. 5/15/18, 5/22/18

Docket 1

***** VACATED *** REASON: Cont'd from 12/11/18 to 3/12/19 at 2:00 p.m. per hearing held on 11/27/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 12/10/18. Off calendar. Continued to 3/12/19 at 2:00 p.m. by ruling at hearing on 11/27/18. No appearances are required on 12/11/18.

Prior tentative ruling as of 5/21/18. No tentative ruling on the merits. Appearances are required on 5/22/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 5/7/18. Off calendar. Continued by prior order to 5/22/18 at 2:30 p.m. to be conducted with hearing on plaintiff's motion for judgment on the pleadings. No appearances are required on 5/15/18.

Party Information

Debtor(s):

Mary Katherine Cummins-Cobb Pro Se

Defendant(s):

Mary Katherine Cummins-Cobb Pro Se

Plaintiff(s):

Konstantin Khionidi Represented By
Philip H Stillman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:00 PM

CONT... Mary Katherine Cummins-Cobb

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:11-43502 Henry Isaac Bushkin

Chapter 7

#7.00 Hearing re: First interim application for award of compensation and reimbursement of expenses of Danning, Gill, Diamond & Kollitz, LLP as former general counsel to predecessor chapter 7 trustee and successor chapter 7 trustee

Docket 136

Tentative Ruling:

As of 12/7/18, applicant had not met the requirement under LBR 2016-1(a)(1) (J) of separately filed client declaration that the client has reviewed the application and no objection to it, that is, applicant will need to submit the declaration of the current client representative, the current trustee, not just the declaration of the prior client representative, the former trustee. However, on 12/7/18, the current trustee submitted a declaration on the application, but she objects to all of the claimed allowance rephotographic expenses or photocopy charges. It is unclear whether or not she objects to the claimed fees because she "elected" not to question any time because the case is insolvent and none of the professionals will receive more than 25 to 30% of the fees. The court will consider the application as a contested matter and will expect that the current trustee to do her duty as a fiduciary of the estate and review the fees themselves and decide to interpose objections or not, or otherwise, the court will deem her objections waived. Because the current trustee did not file her declaration on the application until 12/7/18, two business days before the hearing, the court did not review the application on the merits because it did not have her declaration as the client until then, and given the voluminous nature of the application, the court has not reviewed the 500-page application consisting of mainly fee and cost entries. The court is disinclined to rule on the application the court has adequate information on what is the status of administration of the estate, when a final report and account will be filed, how much the estate is administratively insolvent, how much will be needed to fully administer the estate and what impact any interim fee award would have on the assets of the estate. Either the court can treat the application as a contested matter which will be litigated now, or the court will reserve ruling on the application until the trustee is ready to file a final report and account and the application can be heard on a final basis. Appearances are required on 12/11/18, but counsel, trustee and applicant may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

CONT... Henry Isaac Bushkin

Chapter 7

Party Information

Debtor(s):

Henry Isaac Bushkin

Represented By
Leslie A Cohen

Trustee(s):

Diane C Weil (TR)

Represented By
Aaron E de Leest

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:11-43502 Henry Isaac Bushkin

Chapter 7

#8.00 Hearing re: Application for payment of final fees and/or expenses for Snell & Wilmer L.L.P., trustee's attorney

Docket 138

Tentative Ruling:

Because the trustee has not given notice of intent to file a final report and account in this case, the court will treat the fee application on an interim basis only pursuant to LBR 2016-1. As for the interim fee application of Danning Gill, former general bankruptcy court for predecessor and current trustees, the court is disinclined to rule on the application the court has adequate information on what is the status of administration of the estate, when a final report and account will be filed, how much the estate is administratively insolvent, how much will be needed to fully administer the estate and what impact any interim fee award would have on the assets of the estate. Without such information, the court may reserve ruling on the application until the trustee is ready to file a final report and account and the application can be heard on a final basis.

Appearances are required on 12/11/18, but counsel and applicant may appear by telephone.

Party Information

Debtor(s):

Henry Isaac Bushkin

Represented By
Leslie A Cohen

Trustee(s):

Diane C Weil (TR)

Represented By
Aaron E de Leest

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:16-19436 Arsenia Morales Liwanag

Chapter 7

#9.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Timothy J. Yoo, Chapter 7 Trustee]

Docket 119

Tentative Ruling:

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 12/11/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Arsenia Morales Liwanag

Represented By
Nicholas M Wajda

Trustee(s):

Timothy Yoo (TR)

Represented By
Lindsey L Smith
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:16-19436 Arsenia Morales Liwanag

Chapter 7

#10.00 Hearing re: Application for fees and expenses
[Levene Neale Bender Yoo & Brill, LLC, Attorney for Chapter 7 Trustee]

Docket 117

Tentative Ruling:

Approve final fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 12/11/18, but trustee and counsel may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Arsenia Morales Liwanag

Represented By
Nicholas M Wajda

Trustee(s):

Timothy Yoo (TR)

Represented By
Lindsey L Smith
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:16-19436 Arsenia Morales Liwanag

Chapter 7

#11.00 Hearing re: Application for fees and expenses
[Jeffrey L. Sumpter, Tax Preparer for Chapter 7 Trustee]

Docket 117

Tentative Ruling:

Off calendar. The court has already approved applicant's employment and fee by prior order, and a fee application is not required. Approval of payment of the fee is included in the trustee's final report and account, which is being considered separately. No appearances are required on 12/11/18.

Party Information

Debtor(s):

Arsenia Morales Liwanag

Represented By
Nicholas M Wajda

Trustee(s):

Timothy Yoo (TR)

Represented By
Lindsey L Smith
Jeffrey L Sumpter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#12.00 Hearing re: Second (revised) and final application of Levene, Neale, Bender, Yoo & Brill L.L.P. for approval of fees and reimbursement of expenses

Docket 617

Tentative Ruling:

Treat as a contested matter under FRBP 9014 and set a schedule of pretrial and trial proceedings. Appearances are required on 12/11/18 to discuss scheduling and the parties' discovery and other pretrial needs, but counsel may appear by telephone.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Steven R Fox

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#13.00 Hearing re: Application for payment of final fees and/or expenses (11 U.S.C. § 330) for Friedman, Kannenberg & Company, P.C., accountant

Docket 618

Tentative Ruling:

Approve final fee application of Friedman, Kannenberg & Co., accountant for debtor in possession for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 12/11/18, but applicant and counsel may appear by telephone. Counsel or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Steven R Fox

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#14.00 Hearing re: Application for payment of final fees and/or expenses (11 U.S.C. §330) for Liner Law Group LLP, special counsel

Docket 619

Tentative Ruling:

Approve final fee application of Liner Law Group, special litigation counsel for debtor in possession for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 12/11/18, but applicant and counsel may appear by telephone. Counsel or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By
Steven R Fox

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#15.00 Hearing re: Chapter 7 trustee's motion for an order: (1) approving settlement agreement pursuant to Fed. R. Bankr. P. 9019; and (2) approving sale of assets and overbid procedures under 11 U.S.C. §363

Docket 284

Tentative Ruling:

Overrule objection of Erik Cooper to trustee's motion based on alleged service deficiencies because the evidence is undisputed based on service declarations of counsel and its office staff that service was proper, that the original copy of the moving papers served on 10/31/18 was legible and that the letter sized copy of the moving papers was served by priority mail on Cooper on 11/7/18, 34 days before the noticed hearing (exceeding the minimum notice of 21 days before the hearing).

Overrule objections of Erik Cooper and John Frick in their joint objection to trustee's motion because the opposition was not timely filed and served 14 days before hearing as required by Local Bankruptcy Rule 9013-1(f) and may be deemed to consent to granting of relief adverse to them under Local Bankruptcy Rule 9013-1(h), the parties do not have standing to object as they stated in their opposition to the trustee's motion to disallow their judgment liens that they are not asserting a lien or a claim against the estate and are not thus creditors of the estate and their objections otherwise lack merit.

Grant trustee's motion for order approving settlement agreement and approving sale of assets and overbid procedures for the reasons stated in the moving papers, except disapprove requirement of a minimum overbid of \$75,000 as unreasonable, but approve minimum overbid requirement of \$55,000 (\$5,000 over the proposed sales price). The moving papers demonstrate that the motion should be approved pursuant to Federal Rule of Bankruptcy Procedure 9019 the settlement was negotiated in good faith by the trustee and the setting parties in an arms length negotiation, the trustee has a reasonable belief that the proposed settlement negotiable under the facts based on the information relating to the execution of the will by the decedent bequeathing certain real property to the settling party rather than

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

CONT... **Eugen Valentin Dietl**

Chapter 7

debtor and the written opinions of her examining doctors regarding her competency to execute the will, the settlement is fair and equitable, considering the probability of success in the litigation of a will contest where there is likely substantial evidence to support a finding of the decedent's competency to execute the will bequeathing the property to the settling party, the existence of difficulties in collection on a judgment in light of having to litigate a will contest action in the state court, the complexity of the litigation involved, a will contest case in state court which will involve expense, inconvenience and delay necessarily attending it from having to litigate a factually difficult matter regarding the mental competency of a decedent requiring expense of medical expert witness testimony where there was already medical expert opinions given of decedent's competency at or about the time she executed the subject will, and the paramount interest of the creditors and a proper deference to their reasonable views, here, the paramount interest of creditors is a reasonable settlement as proposed here to avoid the uncertainty and expense of litigation, and there is no opposition from creditors to the settlement (the objections of the Cooper and Frick parties do not count here as views of the creditors since they are not creditors of the estate since they make no claim against the estate). In re A & C Properties, 784 F.2d 1377, 1381-1382 (9th Cir. 1986).

No tentative ruling on determination of purchaser in good faith under 11 U.S.C. 363(m).

Appearances are required on 12/11/18.

Party Information

Debtor(s):

Eugen Valentin Dietl

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By

Aram Ordubegian

Annie Y Stoops

M Douglas Flahaut

Christopher K.S. Wong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:17-15007 Eugen Valentin Dietl

Chapter 7

#16.00 Hearing re: Chapter 7 trustee's motion to (1) disallow notices of judgment liens filed by Erik Cooper [dkt. no. 267] and John C. Frick [dkt. no. 277]; and (2) request for sanctions under 11 U.S.C. § 362(K)

Docket 289

Tentative Ruling:

Deny trustee's motion to disallow notices of judgment lien without prejudice because it is a proceeding to determine the validity, priority or extent of a lien or other interest in property and related declaratory relief, which must be by adversary proceeding pursuant to Federal Rule of Bankruptcy Procedure 7001(2) and (9).

Deny trustee's request for sanctions for automatic stay violations under 11 U.S.C. 362(k) because a Chapter 7 trustee lacks standing to seek such relief because he is not an "individual" for purposes of 11 U.S.C. 362(k). In re Pace, 67 F.3d 187, 192-193 (9th Cir. 1995)(applying predecessor statute, 11 U.S.C. 362(h)).

Deny all requests for relief in the joint objection of Erik Cooper and John Frick without prejudice because such requests for relief are not properly raised in their objection, but must be by motion as required by Federal Rule of Bankruptcy Procedure 9013 because they are requests for an order, and as such, must comply with the procedural requirements of Local Bankruptcy Rule 9013-1 governing motions before this court. The joint objection of Cooper and Frick is not a motion which complies with Local Bankruptcy Rule 9013-1.

Deny trustee's requests to strike pleadings and levying sanctions against Erik Cooper and John Frick without prejudice because such requests for relief are not properly raised in their objection, but must be by motion as required by Federal Rule of Bankruptcy Procedure 9013 because they are requests for an order, and as such, must comply with the procedural requirements of Local Bankruptcy Rule 9013-1 governing motions before this court. The trustee's requests to strike and levy sanctions is not a motion which complies with

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

CONT... Eugen Valentin Dietl
Local Bankruptcy Rule 9013-1.

Chapter 7

Appearances are required on 12/11/18.

Party Information

Debtor(s):

Eugen Valentin Dietl

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By

Aram Ordubegian

Annie Y Stoops

M Douglas Flahaut

Christopher K.S. Wong

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:17-17972 Sion Javaheri

Chapter 7

#17.00 Hearing re: Trustee's motion for authority to: (1) compromise with Jilla Javaheri, The Jilla Javaheri Trust, Michael Javaheri, Sharona Javaheri And Jennifer Javaheri; and (2) pay one-half of mediators fee

Docket 38

Tentative Ruling:

Grant trustee's motion for authority to compromise controversy and pay one-half share of mediator's fee for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 12/11/18, but counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Sion Javaheri

Represented By
Edmond Nassirzadeh

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel
Sonia Singh
George E Schulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:17-17972 Sion Javaheri

Chapter 7

#18.00 Hearing re: First interim application for award of compensation and reimbursement of expenses of Danning, Gill, Diamond & Kollitz, LLP, as general counsel to chapter 7 trustee

Docket 40

Tentative Ruling:

Approve first interim fee application of attorneys for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 12/4/18, but trustee and counsel may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Sion Javaheri

Represented By
Edmond Nassirzadeh

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel
Sonia Singh
George E Schulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:17-01570 GRAND VIEW FINANCIAL, LLC v. JPMORGAN CHASE BANK, N.A.

#19.00 Cont'd hearing re: Motion of defendant JPMorgan Chase Bank, N.A. to dismiss first amended complaint
fr. 8/21/18, 9/25/18, 11/6/18

Docket 32

***** VACATED *** REASON: Cont'd from 12/11/18 to 1/29/19 at 2:30 p.m.
per stip & order entered on 11/6/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 1/29/19 at 2:30 p.m. No appearances are required on 12/11/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

JPMORGAN CHASE BANK, N.A.

Represented By
Matthew S Henderson

QUALITY LOAN SERVICE

Represented By
Merdaud Jafarnia

Plaintiff(s):

GRAND VIEW FINANCIAL, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01214 Grand View Financial, LLC v. Ho

#20.00 Cont'd hearing re: Motion to set aside default and default judgment
fr. 11/27/18

Docket 20

***** VACATED *** REASON: Cont'd from 12/11/18 to 1/9/19 at 11:00 a.m.
per stip & order entered on 12/4/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 1/9/19 at 11:00 a.m. No
appearances are required on 12/11/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Steven Ho

Represented By
William Charles Tanenbaum

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01214 Grand View Financial, LLC v. Ho

#21.00 Cont'd hearing re: Plaintiff's motion for default judgment under LBR 7055-1
fr. 10/16/18, 11/27/18

Docket 15

***** VACATED *** REASON: Cont'd from 12/11/18 to 1/9/19 at 11:00 a.m.
per stip & order entered on 12/4/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 12/10/18. Off calendar. Continued by stipulation and order to 1/9/19 at 11:00 a.m. No appearances are required on 12/11/18.

Prior tentative ruling. Grant plaintiff's motion for default judgment for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are required on 10/16/18

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

Defendant(s):

Steven Ho

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:17-20125 Grand View Financial LLC

Chapter 11

Adv#: 2:18-01214 Grand View Financial, LLC v. Ho

#22.00 Cont'd status conference re: Complaint for turnover of property of the estate
fr. 8/28/18, 10/23/18, 11/27/18

Docket 1

***** VACATED *** REASON: Cont'd from 12/11/18 to 1/9/19 at 11:00 a.m.
per stip & order entered on 12/4/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 12/10/18. Off calendar. Continued by stipulation and order to 1/9/19 at 11:00 a.m. No appearances are required on 12/11/18.

Prior tentative ruling as of 10/22/18. Off calendar. The court on its own motion continues the status conference to 11/27/18 at 2:30 p.m. to be conducted with the continued hearing on plaintiff's motion for default judgment and defendant's motion to set aside default. No appearances are required on 10/23/18.

Prior tentative ruling. Given the severity of the circumstances of turnover in the circumstances of this case, if plaintiff seeks judgment against defendants (meaning eviction of defendants from their residence which they had conveyed to plaintiff for it to perform certain services to save their home from foreclosure in exchange for rent payments and shared equity arrangements, which defendants allegedly defaulted), the court will order that plaintiff serve any dispositive motion on defendants by personal delivery. Appearances are required on 8/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

CONT... Grand View Financial LLC

Chapter 11

Defendant(s):

Steven Ho

Pro Se

Plaintiff(s):

Grand View Financial, LLC

Represented By
Todd M Arnold

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 11, 2018

Hearing Room 1675

2:30 PM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

Adv#: 2:18-01139 People Who Care Youth Center, Inc. v. Ammec, Inc. et al

#23.00 Hearing re: Motion: (I) to dismiss cross-complaint pursuant to Rule 12(b) of the Federal Rules of Civil Procedure and (II) issue sanctions for violation of the automatic stay

Docket 53

***** VACATED *** REASON: Resolved per stip & order entered on
12/6/18-mb.**

Tentative Ruling:

Off calendar. Matter resolved by stipulation and order. No appearances are required on 12/11/18.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

Defendant(s):

Ammec, Inc.

Represented By
John Barriage

Greta Curtis

Pro Se

Plaintiff(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

- #1.10** Cont'd hearing re: Fourth and final application of SulmeyerKupetz, a professional corporation, general bankruptcy counsel for official committee of unsecured creditors, for allowance and payment of fees and expenses, Period: 11/14/2015 to 4/6/2016, Fee: \$1,222,090.50, Expenses: \$71,194.27.
fr. 6/6/18, 8/8/18, 12/5/18

Docket 2004

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 10:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 8/7/18. No tentative ruling on the merits. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. No tentative ruling on the merits. Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 8/14/17. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

10:00 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

No tentative ruling as of 9/19/16. The court has not completed its review of the application and will continue the hearing. Appearances are required on 9/21/16 to discuss continuance, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#1.20 Cont'd hearing re: Fourth and final application of Levene, Neale, Bender, Yoo & Brill L.L.P. for approval of fees and reimbursement of expenses for Kurt Ramlo, Debtor's Attorney, Period: 11/16/2015 to 5/6/2016, Fee: \$618,081.00, Expenses: \$44,014.52. fr. 6/6/18, 8/8/18, 12/5/18

Docket 2000

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 10:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 8/7/18. No tentative ruling on the merits. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. No tentative ruling on the merits. Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/29/18. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

No updated tentative ruling as of 8/14/17. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

10:00 AM

CONT... Art and Architecture Books of the 21st Century Chapter 11

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/16. Appearances are required on 11/30/16, but counsel may appear by telephone.

No tentative ruling as of 9/19/16. The court has not completed its review of the application and will continue the hearing. Appearances are required on 9/21/16 to discuss continuance, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

10:00 AM

2:13-14135 Art and Architecture Books of the 21st Century

Chapter 11

#1.30 Cont'd status conference re: Post confirmation of plan
fr. 6/6/18, 8/8/18, 12/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 10:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 8/7/18. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/4/18. The court has reviewed the plan agent's status report. No tentative ruling on the merits. Appearances are required on 6/6/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/30/18. The court has reviewed the plan agent's status report. No tentative ruling on the merits. Appearances are required on 1/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/14/17. The court has reviewed plan agent's status report. No tentative ruling on the merits. Appearances are required on 8/16/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/16/17. Appearances are required on 5/17/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

10:00 AM

CONT... Art and Architecture Books of the 21st Century

Chapter 11

No updated tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the plan agent's postconfirmation status report. No tentative ruling on the merits. The court is interested in hearing from the plan agent and the parties regarding the status of plan implementation in light of the current administrative insolvency of the case, including the ability of reorganized debtor to fund continuing operations, possible resolution of plan defaults from inability and failure of the estate/reorganized debtor to pay allowed administrative expense claims now due, and the status of settlement discussions with the Wilshire property landlord and art consignor creditors. Appearances are required on 9/21/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Art and Architecture Books of the

Represented By
Thomas M Geher
David W. Meadows
Jerome S Cohen
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#1.00 Hearing re: Motion to extend the time periods under 11 USC Section 1129(e)

Docket 81

Tentative Ruling:

Grant debtor's motion to extend time periods under 11 U.S.C. 1129(e) for the reasons stated in the moving papers and for the lack of timely written opposition. Appearances are optional on 12/12/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:18-12224 Raesi Group, Inc

Chapter 11

#2.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/22/18, 9/19/18, 10/31/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/11/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/29/18. No tentative ruling on the merits. Appearances are required on 10/31/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. No tentative ruling on the merits. Appearances are required on 9/19/19, but counsel may appear by telephone.

No updated tentative ruling as of 8/20/18. Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. The claims bar date should be at least 60 days from the date of notice of bar date to creditors, so 6/1/18 is not appropriate. Otherwise, no tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Raesi Group, Inc

Represented By
Christopher P Walker

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:18-19570 Rich Honey, Inc.

Chapter 11

#3.00 Hearing re: Motion to value personal property and modify liens of Valley Economic Development Center and extinguish liens of Camel Financial, Pacoima Development Federal Credit Union, Employment Development Department, New Era Lending, LLC, and Yellowstone Capital West, LLC

Docket 74

***** VACATED *** REASON: Cont'd from 12/12/18 to 12/19/18 at 11:00 a.m. per stip & order entered on 12/3/18-mb.**

Tentative Ruling:

Off calendar. Continued by stipulation and order to 12/19/18 at 11:00 a.m.
No appearances are required on 12/12/18.

Party Information

Debtor(s):

Rich Honey, Inc.

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker, Sr

Chapter 11

#4.00 Cont'd order to show cause why debtor Gary Wayne Barker, Sr., and/or his attorney Dennis McGoldrick should not be sanctioned for failure to appear at the October 17, 2018 post confirmation status conference fr. 11/28/18, 12/5/18

Docket 229

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/26/18. Appearances are required on 11/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E McGoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker, Sr

Chapter 11

#5.00 Cont'd hearing re: Application to convert case to chapter 7 based upon debtor's failure to comply with prior court order fr. 11/28/18, 12/5/18

Docket 232

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E McGoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker

Chapter 11

#6.00 Cont'd status conference re: Post confirmation of plan
fr. 10/17/18, 11/28/18, 12/5/18

Docket 123

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/26/18. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/15/18. No tentative ruling on the merits, but debtor will need to address the notice of delinquency filed by the United States Trustee and to state when he will be filing a motion for entry of final decree. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/21/18. No tentative ruling on the merits. Appearances are required on 5/23/18, but counsel may appear by telephone.

Updated tentative ruling as of 2/12/18. The court has reviewed debtor's status report. Debtor will need to address the notice of delinquency in filing

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

United States Trustee reporting requirements filed on 1/2/18. Appearances are required on 2/13/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits. Appearances are required on 10/18/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/11/17. Appearances are required on 9/13/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/10/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Updated tentative ruling as of 10/17/16. The court has reviewed debtor's status report and declaration and exhibits attached thereto. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Debtor to explain whether the checks attached to his declaration filed on 9/16/16 have brought the plan entirely current. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/7/16. Appearances are required on 3/9/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

Prior tentative ruling as of 2/1/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 2/3/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 11/23/15. The court has reviewed debtor's post-confirmation status report. Appearances are required on 11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/25/15. Appearances are required on 8/26/15, but counsel may appear by telephone.

Prior tentative ruling as of 4/13/15. Off calendar. The court has reviewed debtor's post-confirmation status report and sets a further status conference on its own motion to 8/26/15 at 11:00 a.m. A further status report is due 8/21/15. No appearances are required on 4/15/15.

Prior tentative ruling as of 1/26/15. Off calendar. The court has reviewed debtor's post-confirmation status report and continues the status conference on its own motion to 4/15/15 at 11:00 a.m. A further status report is due 4/8/15. No appearances are required on 1/28/15.

Prior tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 7/21/14. Appearances are required on 7/23/14, but counsel may appear by telephone.

Prior tentative ruling as of 7/8/14. No tentative ruling on the merits. Appearances are required on 7/9/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/7/14, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

Prior tentative ruling. The court has reviewed debtor's post-confirmation status report and continues the status conference to 5/7/14 at 11:00 a.m. No appearances required on 11/6/13, but a further status report is due on 4/30/14.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E Mcgoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:12-15652 Dale Alfred Williams

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/3/18, 11/7/18, 12/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/6/18. The court is still deliberating on the trial in of debtor's objection to the claim of the Internal Revenue Service. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. The court is still deliberating on the trial in of debtor's objection to the claim of the Internal Revenue Service. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. Off calendar. The court continues the hearing on its own motion to 10/3/18 at 11:00 a.m. No appearances are required on 8/22/18.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 4/25/18 at 11:30 a.m. No appearances are required on 3/27/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 3/28/18 at 11:30 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/8/18. Off calendar. The court has reviewed debtor's status report, and in light of the pending decision on debtor's objection to the claim of the United States Internal Revenue Service now under submission, the court on its own motion continues the status conference to 2/28/18 at 11:30 a.m. No appearances are required on 1/10/18.

Prior tentative ruling as of 9/11/17. Off calendar. In light of the pending motion of the United States Trustee to dismiss or convert now set for hearing on 10/25/17 at 11:30 a.m., the court on its own motion continues the status conference to 10/25/17 at 11:30 a.m. No appearances are required on 9/13/17.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

Prior tentative ruling as of 4/3/17. Off calendar. In light of the pendency of the litigation proceedings involving debtor's objection to the tax claims, the court on its own motion continues the status conference to 9/13/17 at 11:00 a.m. No appearances are required on 4/5/17.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/15/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. The court has reviewed reorganized debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/16/16 to discuss scheduling of next status conference and other further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 3/9/15. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of litigation disputes of debtor's objection to the IRS claim and creditor Rory Williams's motion to file late-filed claim. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Dale Alfred Williams

Chapter 11

Prior tentative ruling as of 12/2/14. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of debtor's objection to the IRS claim. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 8/25/14. Appearances are required on 8/27/14 to schedule a post-confirmation status conference, but counsel may appear by telephone.

Prior tentative ruling. The court continues on its own motion the status conference to 8/27/14 at 11:00 a.m. at which time the court will set a post-confirmation status conference in November 2014 since a post-confirmation status conference was not set at the confirmation hearing on 7/24/14. No appearances are required on 8/21/14

Party Information

Debtor(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

Movant(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#8.00 Cont'd hearing re: Motion for entry of order conditionally dismissing bankruptcy case fr. 10/3/18, 11/7/18, 12/5/18

Docket 479

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Updated tentative ruling as of 11/6/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. The court expects to issue its ruling by 12/31/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Updated tentative ruling as of 10/1/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. Appearances are required on 3/22/17.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. The court has concerns regarding the propriety of a "structured" dismissal (called "conditional" dismissal in the moving papers), i.e., whether the record is sufficient to warrant deviation from the normal procedures expressly provided in the Bankruptcy Code, i.e., a liquidating plan, case conversion or straight dismissal without conditions, or whether more broadly, whether structured dismissals are permitted at all, which may be at issue before the Supreme Court in *In re Jevic Holding Corp.*, 787 F.3d 173 (3rd Cir. 2015), cert. granted, *Czyzewski v. Jevic Holding Corp.* 136 S.Ct. 2541 (2016). See also, Transcript of Oral Argument, *Czyzewski v. Jevic Holding Corp.*, No. 15-649 (S.Ct., argued December 7, 2016); see also, e.g., Salerno, Hansen, Meyer, Schuster and Barsharis, *Advanced Chapter 11 Bankruptcy Practice*, Section 12.22 (2nd ed. online, 2016 Cum. Supp.); Greenberg, Smith and Taylor, "The Elephant Hiding in the Mousehole": *In re Jevic*, 2016 No. 10 Norton Bankr. L. Adviser NL 1 (online ed., October 2016); Pernick and Dean, "Structured Chapter 11 Dismissals: A Viable and Growing Alternative After Asset Sales," 29 *Am. Bankr. Inst. J.* 1 (June 2010); Eitel, Tinker and Lambert, "Structured Dismissals, or Cases Dismissed Outside of Code's Structure?", 30 *Am. Bankr. Inst. J.* 20 (March 2011). Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#9.00 CONT'D TRIAL RE: Final application for approval of compensation and expense reimbursement of Baker & Hostetler LLP fr. 10/3/18, 11/7/18, 12/5/18

Docket 482

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. The court is still deliberating after trial and does not expect a decision by 12/31/18, most likely, January 2019. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/6/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. The court expects to issue its ruling by 12/31/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. Off calendar. The court continues the hearing on its own motion to 10/3/18 at 11:00 a.m. No appearances are required on 8/1/18.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling. Updated tentative ruling as of 5/11/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Ashley McDow. Appearances are required on 5/12/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 5/1/17. No tentative ruling on the merits. The court will continue to take oral testimony from witness Marc Benezra. Appearances are required on 5/3/17 also to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/13/16.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#10.00 Cont'd hearing re: Motion for approval of chapter 11 disclosure statement
fr. 10/3/18, 11/7/18, 12/5/18

Docket 157

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/6/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. The court expects to issue its ruling by 12/31/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. No appearances are required on 1/24/18.

Updated tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the hearing on its own motion to 12/13/17 at 11:00 a.m. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the hearing on its own motion to 10/25/17 at 1:30 p.m. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC Chapter 11

Prior tentative ruling. No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

Updated tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. Appearances are required on 10/28/15,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... **Sarkis Investments Company, LLC**
but counsel may appear by telephone.

Chapter 11

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 4/15/14. Appearances are required on 4/16/14, but counsel may appear by telephone.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan. Debtor has indicated that it intends to revise the disclosure statement to address objections of United States Trustee.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

Movant(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#11.00 Cont'd status conference re: Management of chapter 11 case
fr. 10/3/18, 11/7/18, 12/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/6/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. The court expects to issue its ruling by 12/31/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are required on 11/7/18 because creditor Zehnaly appeared at the last status conference and may appear to be heard on his claim, but counsel may appear by telephone.

Updated tentative ruling as of 10/1/18. The court is still deliberating on the contested matter of the objection to the final fee application of counsel for debtor. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/26/18. Off calendar. The court continues the hearing on its own motion to 4/25/18 at 11:00 a.m. No appearances are required on 3/28/18.

Prior tentative ruling as of 2/26/18. Off calendar. The court continues the hearing on its own motion to 3/28/18 at 11:00 a.m. No appearances are required on 2/28/18.

Prior tentative ruling as of 1/22/18. Off calendar. The court continues the hearing on its own motion to 2/28/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 1/24/18.

Prior tentative ruling as of 12/18/17. Off calendar. The court continues the hearing on its own motion to 1/24/18 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/20/17.

Prior tentative ruling as of 12/11/17. Off calendar. The court continues the hearing on its own motion to 12/20/17 at 11:00 a.m. The court is continuing its review of the fee application of general bankruptcy counsel for debtor in possession. No appearances are required on 12/13/17.

Prior tentative ruling as of 10/23/17. Off calendar. The court continues the status conference on its own motion to 12/13/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 12/13/17. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court has reviewed debtor's status report. In that the court is still deliberating on the final fee

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

application of general bankruptcy counsel for debtor, the court continues the status conference on its own motion to 10/25/17 at 1:30 p.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Updated tentative ruling as of 6/14/17. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/11/17. Appearances are required on 5/12/17, but counsel may appear by telephone.

No updated tentative ruling as of 5/1/17. Appearances are required on 5/3/17, but counsel may appear by telephone.

Updated tentative ruling as of 3/20/17. No tentative ruling on the merits. Appearances are required on 3/22/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/6/17. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. Off calendar. Continued on the court's own motion to 1/11/17 at 11:00 a.m. No appearances are required on 12/14/16.

Prior tentative ruling as of 10/17/16. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. No tentative ruling on the merits. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 5/2/16. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/4/16, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 4/11/16. Off calendar. The court has reviewed debtor's status report requesting that the hearing be continued to 5/4/16 at 11:00 a.m. to be heard with the continued hearing on debtor's objection to the claim of creditor Zehnaly. The court on its own motion grants this request and continues the hearing to 5/4/16 at 11:00 a.m. No appearances are required on 4/13/16.

Prior tentative ruling as of 1/25/16. The court has reviewed debtor's status report. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 10/26/15. No tentative ruling on the merits. Appearances are required on 10/28/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/17/15. Appearances are required on 8/18/15, but counsel may appear by telephone.

Updated tentative ruling as of 8/10/15. Off calendar. Continued by stipulation and order to 8/18/15 at 2:30 p.m. No appearances are required on 8/11/15.

No updated tentative ruling as of 5/4/15. Appearances are required on 5/6/15, but counsel may appear by telephone.

No updated tentative ruling as of 4/13/15. Appearances are required on 4/15/15, but counsel may appear by telephone.

Updated tentative ruling as of 3/31/15. Off calendar. Continued by stipulation and order to 4/15/15 at 11:00 a.m. No appearances are required on 4/1/15.

Prior tentative ruling as of 3/30/15. No tentative ruling on the merits. Appearances are required on 4/1/15, but counsel may appear by telephone.

Prior tentative ruling as of 1/26/15. Off calendar. Continued by stipulation and order to 4/1/15 at 11:00 a.m. No appearances are required on 1/27/15.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... **Sarkis Investments Company, LLC** **Chapter 11**

Prior tentative ruling as of 11/3/14. Appearances are required on 11/5/14, but counsel may appear by telephone.

No updated tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 8/19/14. Appearances are required on 8/20/14, but counsel may appear by telephone.

No updated tentative ruling as of 6/24/14. Appearances are required on 6/25/14, but counsel may appear by telephone.

Prior tentative ruling as of 5/5/14. Appearances are required on 5/7/14, but counsel may appear by telephone.

No updated tentative ruling as of 4/15/14. Appearances are required on 4/16/14.

Prior tentative ruling as of 4/7/14. No tentative ruling on the merits. Appearances are required on 4/9/14 to discuss debtor's disclosure statement and plan.

Prior tentative ruling as of 3/10/14. No tentative ruling on the merits. Appearances are required on 3/12/14, but counsel may appear by telephone.

Updated tentative ruling as of 2/24/14. No tentative ruling on the merits. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 2/3/14. The court has reviewed debtor's status report and the comments of the secured creditor on status. No tentative ruling. Appearances are required on 2/5/13, but counsel may appear by telephone.

Prior tentative ruling as of 11/19/13. The court has reviewed debtor's status report. No tentative ruling. Appearances are required on 11/20/13, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Sarkis Investments Company, LLC

Chapter 11

Prior tentative ruling as of 10/7/13. No tentative ruling on the merits.
Appearances are required on 10/9/13.

Updated tentative ruling as of 9/18/13. Off calendar. Continued at hearing on
9/17/13 to 10/9/13 at 11:30 a.m. No appearances required on 9/18/13.

Prior tentative ruling. The court has reviewed debtor's status report. No
tentative ruling on the merits. Appearances are required on 9/18/13, but
counsel may appear by telephone.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:13-26021 L Scott Apparel Inc.

Chapter 11

#12.00 Cont'd status conference re: Post confirmation of plan
fr. 10/3/18, 11/7/18, 12/5/18

Docket 140

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Updated tentative ruling as of 11/5/18. The court is still deliberating on the adversary proceeding and contested matters involving Lowell Sherron and Beyond Basics and expects to issue a ruling by 11/30/18. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 12/5/18 at 11:00 a.m. Appearances are optional on 11/7/18, but counsel may appear by telephone.

Updated tentative ruling as of 10/1/18. The court is still deliberating on the adversary proceeding and contested matters involving Lowell Sherron and Beyond Basics. Otherwise, no tentative ruling on the merits. The court intends to continue the status conference to 11/7/18 at 11:00 a.m. Appearances are optional on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. The court is still deliberating on the adversary proceeding and contested matters involving Lowell Sherron and

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

Beyond Basics. Otherwise, no tentative ruling on the merits. Appearances are required on 8/22/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/25/18. No tentative ruling on the merits. Appearances are required on 5/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. Off calendar. The court continues the hearing on its own motion to 5/29/18 at 11:00 a.m. No appearances are required on 4/25/18.

Prior tentative ruling as of 3/19/18. Off calendar. The court continues the status conference on its own motion to 4/25/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/25/18. No appearances are required on 3/21/18.

Prior tentative ruling as of 1/12/18. Off calendar. The court continues the status conference on its own motion to 3/21/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/21/18. No appearances are required on 1/17/18.

Corrected tentative ruling as of 10/25/17. Off calendar. The court continues the status conference on its own motion to 1/17/18 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 1/17/18. No appearances are required on 10/25/17.

Prior tentative ruling as of 8/28/17. Off calendar. The court continues the status conference on its own motion to 10/25/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 10/25/17. No appearances are required on 8/30/17.

Prior tentative ruling as of 6/19/17. Off calendar. The court continues the status conference on its own motion to 8/30/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 8/30/17. No appearances are required on 6/21/17.

Updated tentative ruling as of 4/24/17. Off calendar. The court continues the status conference on its own motion to 6/21/17 at 11:00 a.m. and dispenses

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... L Scott Apparel Inc.

Chapter 11

with the requirement of a written status report for the status conference on 6/21/17. No appearances are required on 4/26/17.

Prior tentative ruling as of 3/27/17. Off calendar. The court continues the status conference on its own motion to 4/26/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 4/26/17. No appearances are required on 3/29/17.

Updated tentative ruling as of 1/23/17. Off calendar. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 3/29/17 at 11:00 a.m. and dispenses with the requirement of a written status report for the status conference on 3/29/17. No appearances are required on 1/25/17.

Prior tentative ruling as of 10/17/16. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. In light of the current pending litigation, especially the Sharron adversary proceeding, it seems that a further status conference should be set in about 120 days. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 12/1/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 12/2/15, but counsel may appear by telephone.

Prior tentative ruling as of 7/27/15. The court has reviewed the liquidating trustee's status report. No tentative ruling on the merits. Appearances are required on 7/29/15 to discuss scheduling of further post-confirmation proceedings, but counsel may appear by telephone.

Updated tentative ruling as of 3/9/15. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 3/11/15 to discuss scheduling of further proceedings, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... **L Scott Apparel Inc.**

Chapter 11

Prior tentative ruling as of 12/2/14. The court has reviewed liquidating trustee's post-confirmation status report. No tentative ruling on the merits, but it appears that consummation of the plan will be deferred until resolution of claims as described in the status report. Appearances are required on 12/3/14 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/2/14. Appearances are required on 9/3/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the liquidating trustee's status report and continues the status conference on its own motion to 9/3/14 at 11:00 a.m. to allow the parties a limited opportunity to continue in plan modification negotiations. No appearances are required on 8/21/14.

Party Information

Debtor(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

Movant(s):

L Scott Apparel Inc.

Represented By
David W Levene
Kurt Ramlo
Paul J Kurtzhall

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#13.00 Cont'd hearing re: Motion to approve compromise under Rule 9019 (Debtor's Settlement w/Banc of California, N.A.), in addition to motion for authority to obtain credit under Section 364(b), Rule 4001(c) or (d) (under Section 364(c)) fr. 11/7/18, 12/5/18

Docket 554

Tentative Ruling:

Updated tentative ruling as of 12/10/18. Grant debtor's motion to approve settlement with Banc of California, N.A., for the reasons stated in the moving papers and for lack of timely written opposition. Appearances are optional on 12/12/18, but counsel may appear by telephone. Debtor to submit a proposed order within 7 days of hearing.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling. The motion is deficient because: (1) not all creditors were served as required by FRBP 2002(a)(2), 4001(c)(1)(C), 9013, 9014 and 9109, and the unserved creditors from the creditor mailing matrix are: Trope and Trope LLP, LEA Accountancy LLP, Absolute Resolutions Investments, LLC and Leonard L. Gumport; (2) the mandatory court form, F 4001-2.STMT.FINANCE, was not filed as required by LBR 4001-2(a). The court is inclined to continue the hearing so debtor can correct these deficiencies. Appearances are required on 11/7/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT...

Curtis C. Magleby

Illyssa I Fogel

Chapter 11

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#14.00 Cont'd final pretrial conference re: Motion to disallow claims of Banc of California, N.A. fr. 8/29/18, 11/7/18, 12/5/18

Docket 372

Tentative Ruling:

Updated tentative ruling as of 12/10/18. In light of the tentative ruling to grant debtor's motion to approve settlement with Banc of California, N.A., also on calendar, appearances are optional on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/6/18. Off calendar. Continued by stipulation and order to 12/5/18 at 11:00 a.m. No appearances are required on 11/7/18.

Updated tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:17-17577 Peter G. Kudrave

Chapter 11

#15.00 Cont'd hearing re: Application for payment of: final fees an/or expenses for David A Tilem, Debtor's Attorney, Period: 6/21/2017 to 7/31/2018, Fee: \$56,790.00, Expenses: \$2,884.39.
fr. 8/28/18, 10/24/18, 12/5/18

Docket 98

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18 to discuss scheduling of the evidentiary hearing on debtor's objections to the fee application, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Revised and updated tentative ruling as of 10/22/18 at 5:30 p.m. Off calendar. Off calendar. Continued to 12/5/18 at 11:00 a.m. by order granting debtor's motion for continuance filed on or about 10/22/18. No appearances are required on 10/24/18.

Party Information

Debtor(s):

Peter G. Kudrave

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#16.00 Cont'd hearing re: Debtor's motion for the entry of an order: (1) approving the sale of real property free and clear of all liens, claims, encumbrances, and interests, with the exception of enumerated exclusions, subject to overbid, (2) finding that the buyer is good faith purchaser, (3) approving bidding procedures and break-up fee, (4) authorizing and approving the payment of certain claims from sale proceeds, and (5) waiving the fourteen-day stay period set forth in Bankruptcy Rule 6004(h) fr. 11/28/18, 12/5/18

Docket 337

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

No tentative ruling as of 11/27/18. Appearances are required on 11/28/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#17.00 Cont'd hearing re: Debtor's motion for an order disallowing proof of claim 8 purportedly filed on behalf of U.S. Bank, National Association
fr. 12/5/18

Docket 328

Tentative Ruling:

Updated tentative ruling as of 12/11/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:18-10551 Nina Mosby

Chapter 11

#18.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/29/18, 11/28/18, 12/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/26/18. No tentative ruling on the merits. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/27/18. The court has reviewed debtor's status report filed on 8/15/18. No tentative ruling on the merits. Appearances are required on 8/29/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/11/18. The court has reviewed debtor's status report filed on 5/9/18. No tentative ruling on the merits. Appearances are required on 5/16/18, but counsel may appear by telephone.

Updated tentative ruling as of 3/5/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

CONT... Nina Mosby

Chapter 11

tentative ruling on the merits. Appearances are required on 3/7/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Nina Mosby

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 12, 2018

Hearing Room 1675

11:00 AM

2:18-21789 Samuel Marquez

Chapter 11

#19.00 Cont'd status conference re: Management of chapter 11 case
fr. 12/5/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/11/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 12/5/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Samuel Marquez

Represented By
Onyinye N Anyama

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 13, 2018

Hearing Room 1675

9:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#1.00 Cont'd pretrial conference re: Debtor's motion to disallow claims of Cindy S. Magleby (claim numbers 13, 7, and 12) fr. 8/27/18, 11/14/18, 11/29/18

Docket 390

Tentative Ruling:

Updated tentative ruling as of 12/10/18. Off calendar. The court on its own motion continues the hearing in light of the pending motion of counsel for creditor Cindy Magleby to withdraw and of the need for the assigned judge to recover from recently scheduled but urgent dental surgery scheduled for 12/13/18. The hearing will be continued to 12/19/18 at 11:00 a.m. as a status conference to discuss the impact of the pending motion of counsel for creditor to withdraw and for rescheduling. No appearances are required on 12/13/18.

Revised and updated tentative ruling as of 11/13/18. Off calendar. Continued on the court's own motion by separate order to 11/29/18 at 1:30 p.m. No appearances are required on 11/14/18.

Updated tentative ruling as of 8/7/18. The parties filed unilateral pretrial statements rather than a joint pretrial statement. Before the court imposes monetary sanctions of \$250 against the culpable party/ies for failing to file a joint pretrial statement as required by LBR 7016-1, the court will afford the parties an opportunity to complete and file a joint pretrial statement as required and intends to continue the pretrial conference for this purpose. Appearances are required on 8/8/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed the unilateral pretrial statements of the parties, which are incomplete and inadequate and will not be approved. The "statements" should be a joint pretrial stipulation, and they lack the exhibit lists of the parties and objections to exhibits thereto.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 13, 2018

Hearing Room 1675

9:00 AM

CONT... Curtis C. Magleby

Chapter 11

Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court notes that claimant has a pending motion for abstention on her claims set for hearing on 3/21/18. If the court abstains, this itself will not postpone plan confirmation proceedings because the parties may request the court to estimate the claims for voting on plan confirmation. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. If claimant believes that the court should permissively abstain from hearing this contested matter, then she should bring a proper motion for abstention rather than raising the request in her opposition to the objection. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). However, it seems to the court that it could properly hear the objection to claim as a core proceeding under 28 U.S.C. 157(b)(2)(B) and not abstain under *In re Conejo Enterprises, Inc.*, 96 F.3d 346 (9th Cir. 1996). Appearances are required on 12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 13, 2018

Hearing Room 1675

9:00 AM

CONT... Curtis C. Magleby

Chapter 11

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 13, 2018

Hearing Room 1675

9:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#2.00 Cont'd hearing re: Disclosure statement
fr. 8/27/18, 11/14/18, 11/29/18

Docket 174

Tentative Ruling:

Updated tentative ruling as of 12/10/18. Off calendar. The court on its own motion continues the hearing in light of the pending motion of counsel for creditor Cindy Magleby to withdraw and of the need for the assigned judge to recover from recently scheduled but urgent dental surgery scheduled for 12/13/18. The hearing will be continued to 12/19/18 at 11:00 a.m. as a status conference to discuss the impact of the pending motion of counsel for creditor to withdraw and for rescheduling. No appearances are required on 12/13/18.

Revised and updated tentative ruling as of 11/13/18. Off calendar. Continued on the court's own motion by separate order to 11/29/18 at 1:30 p.m. No appearances are required on 11/14/18.

No updated tentative ruling as of 8/7/18. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. Off calendar. The court on its own motion continues the hearing to 8/8/18 at 11:00 a.m. No appearances are required on 8/1/18.

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 13, 2018

Hearing Room 1675

9:00 AM

CONT... Curtis C. Magleby

Chapter 11

counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court has reviewed debtor's status update and request to continue the status conference. No tentative ruling on the merits. Appearances are required on 3/7/18 to discuss scheduling and the the impact of treatment on creditor Cindy Magleby's claims for plan voting and abstention among other things, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. The court notes that debtor filed a second amended disclosure statement on 1/30/18, 8 days before the further hearing on 2/7/18. Creditor Banc of California filed a response on 1/31/18 objecting to debtor's noticing approval of the amended disclosure statement for the hearing on 2/7/18, citing the court's oral ruling that creditors should be given 3 weeks notice of hearing on an amended disclosure statement. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, including adequate time for creditors to respond to debtor's second amended disclosure statement and a scheduling of a further hearing on debtor's second amended disclosure statement to allow for review and comment by creditors and interested parties, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. The court has reviewed debtor's status report. Appearances are required on 11/29/17 to discuss scheduling of further proceedings, including filing date for debtor's second amended disclosure statement, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. Debtor in his status report filed on 2/22/17 indicated that he and his counsel are working on revising and amending the original disclosure statement to include a revised and updated liquidation analysis

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 13, 2018

Hearing Room 1675

9:00 AM

CONT... Curtis C. Magleby

Chapter 11

and taking into account resolutions of claims of creditors, including First Republic Bank (however, the court notes that it disapproved without prejudice the stipulation resolving claim of First Republic Bank in light of objection of creditor Cindy Magelby since it appears that debtor will need to bring a FRBP 9019 motion). Appearances are required on 3/1/17 regarding scheduling of further proceedings for an amended and revised disclosure statement, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 13, 2018

Hearing Room 1675

9:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

- #3.00** Cont'd pretrial conference re: Complaint to recover property of the estate and for turnover of property of the estate pursuant to section 542(a) of the United States Bankruptcy Code, 11 U.S.C. §542(a)
fr. 8/27/18, 11/14/18, 11/29/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/10/18. Off calendar. The court on its own motion continues the hearing in light of the pending motion of counsel for creditor Cindy Magleby to withdraw and of the need for the assigned judge to recover from recently scheduled but urgent dental surgery scheduled for 12/13/18. The hearing will be continued to 12/19/18 at 11:00 a.m. as a status conference to discuss the impact of the pending motion of counsel for creditor to withdraw and for rescheduling. No appearances are required on 12/13/18.

Revised and updated tentative ruling as of 11/13/18. Off calendar. Continued on the court's own motion by separate order to 11/29/18 at 1:30 p.m. No appearances are required on 11/14/18.

Prior tentative ruling as of 8/7/18. The parties filed unilateral pretrial statements rather than a joint pretrial statement. Before the court imposes monetary sanctions of \$250 against the culpable party/ies for failing to file a joint pretrial statement as required by LBR 7016-1, the court will afford the parties an opportunity to complete and file a joint pretrial statement as required and intends to continue the pretrial conference for this purpose. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed defendant's unilateral pretrial statement, which is incomplete and inadequate and will not be approved. The "statement" should be a joint pretrial stipulation, and it

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 13, 2018

Hearing Room 1675

9:00 AM

CONT... Curtis C. Magleby

Chapter 11

lacks the exhibit lists of the parties and objections to exhibits thereto.
Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits.
Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits.
Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on
11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on
9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on
7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but
counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits.
Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits.
Appearances are required on 1/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits.
Appearances are required on 11/16/16, but counsel may appear by
telephone.

Prior tentative ruling. The court has reviewed the joint status report. No
tentative ruling on the merits. Appearances are required on 9/13/16, but
counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 13, 2018

Hearing Room 1675

9:00 AM

CONT... Curtis C. Magleby

Chapter 11

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Cindy Magleby

Pro Se

Plaintiff(s):

Curtis C. Magleby

Represented By
Alan F Broidy

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Thursday, December 13, 2018

Hearing Room 1675

1:30 PM

2:18-17013 Janine Liebert

Chapter 7

#4.00 EVIDENTIARY HEARING RE: Debtor's motion to convert from chapter 7 to 13
fr. 9/18/18, 11/8/18

Docket 11

***** VACATED *** REASON: Cont'd from 12/13/18 to 1/18/19 at 9:00 a.m.
p.m. per stip & order entered on 12/04/18-mb.**

Tentative Ruling:

Updated tentative ruling as of 12/10/18. Off calendar. Continued by stipulation and order to 1/18/19 at 9:00 a.m. No appearances are required on 12/13/18.

Prior tentative ruling as of 11/5/18. No tentative ruling will be issued for the evidentiary hearing. Appearances are required on 11/8/18.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 because it appears that there are disputed issues of material fact regarding debtor's good faith in requesting conversion of the case to Chapter 13 and debtor's income eligibility for Chapter 13 based on her amended schedules asserting a family contribution from her brother. See *In re Deutsch*, 529 B.R. 308 (Bankr. C.D. Cal. 2015). The court has questions about trustee's estimate of \$55,000 in anticipated Chapter 7 administrative expenses which seem awfully high in this case still in its early stages. Appearances are required on 9/18/18 to discuss scheduling of an evidentiary hearing to resolve disputed issues of material fact on the motion, but counsel may appear by telephone.

Party Information

Debtor(s):

Janine Liebert

Represented By
David S Hagen

Trustee(s):

Wesley H Avery (TR)

Represented By
Chad V Haes

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, December 14, 2018

Hearing Room 1675

1:30 PM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#1.00 Cont'd hearing re: Application of debtor and debtor in possession to employ LKP Global Law, LLP as special employment and labor counsel pursuant to 11 U.S.C § 327(e), with compensation determined pursuant to 11 U.S.C. §§ 330 and 331 fr. 12/5/18, 12/6/18

Docket 20

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/14/18, but counsel may appear by telephone.

Tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/6/18 at 10:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, December 14, 2018

Hearing Room 1675

1:30 PM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#2.00 Cont'd hearing re: Debtor's emergency motion for entry of interim order: (I) authorizing the debtor to obtain postpetition financing pursuant to 11 U.S.C. §§ 105, 361, 362 and 364 on an interim basis pending a final hearing, (II) scheduling a final hearing pursuant to Bankruptcy Rule 4001(c); and (III) granting related relief fr. 11/30/18, 12/6/18

Docket 99

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/14/18, but counsel may appear by telephone.

No tentative ruling as of 12/3/18. Appearances are required on 12/6/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, December 14, 2018

Hearing Room 1675

1:30 PM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#3.00 Cont'd hearing re: Emergency application of debtor and debtor-in-possession to employ Stapleton Group as chief restructuring officer pursuant to 11 U.S.C. §§ 327 and 330 fr. 11/30/18, 12/6/18

Docket 104

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/14/18, but counsel may appear by telephone.

No tentative ruling as of 12/3/18. Appearances are required on 12/6/18, but counsel and applicant may appear by telephone.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, December 14, 2018

Hearing Room 1675

1:30 PM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#4.00 Cont'd hearing re: Application of debtor and debtor-in-possession to employ GlassRatner Advisory & Capital Group, LLC as financial advisor pursuant to 11 U.S.C. § 327 with compensation proposed to be paid pursuant to 11 U.S.C. § 330 fr. 12/5/18, 12/6/18

Docket 27

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/14/18, but counsel may appear by telephone.

Tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/6/18 at 10:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Friday, December 14, 2018

Hearing Room 1675

1:30 PM

2:18-23361 Zacky & Sons Poultry, LLC

Chapter 11

#5.00 Cont'd hearing re: Application of debtor and debtor in possession to employ Levene, Neale, Bender, Yoo & Brill L.L.P. as bankruptcy counsel pursuant to 11 U.S.C § 327(a), with compensation determined pursuant to 11 U.S.C. §§ 330 and 331 fr. 12/5/18, 12/6/18

Docket 12

Tentative Ruling:

Updated tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/14/18, but counsel may appear by telephone.

Tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/6/18 at 10:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Zacky & Sons Poultry, LLC

Represented By
Ron Bender
Juliet Y Oh
Todd M Arnold
Lindsey L Smith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#1.00 TRIAL RE: Motion for approval of compromise of controversy regarding claims for relief that are property of the estate fr. 10/3/18, 11/8/18

Docket 237

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits. Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/2/18. Sustain debtor's evidentiary objections to paragraph 7 of the declaration of Gregory S. Kim, and overrule the remaining objections. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#2.00 Cont'd hearing re: Motion for approval of compromise of controversy regarding claims for relief that are property of the estate
fr. 9/12/18, 10/3/18, 11/8/18

Docket 232

***** VACATED *** REASON: Superseded by calendar #1 (the trial)-mb.**

Courtroom Deputy:

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits.
Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling. Deny without prejudice for lack of sufficient notice since not all creditors on the case mailing matrix were served as required by FRBP 9019, 2002 and 9013, including AEC Logistics Corp., BMW Financial Services NA, LLC, Flacco Truck Repair, Internal Revenue Service, Los Angeles County Treasurer and Tax Collector, Nissan and Wells Fargo Financial Leasing Inc., and some creditors were served, but not at all addresses indicated on the mailing matrix. Debtor needs to serve creditors at all of the addresses indicated on the mailing matrix, absent an adequate evidentiary showing that its service list is completely accurate.

The court agrees with debtor that the creditors opposing the motion have not addressed the factors in *In re A & C Properties*, 784 F.2d 1377, 1381 (9th Cir. 1986), that is, the probability of success in the litigation, the difficulties, if any, to be encouraged in the matter of collection, the complexity of the litigation involved, and the expense, inconvenience and delay necessarily attending it and the paramount interest of the creditors and a proper deference to their reasonable views. The objecting creditors merely argue that without discovery, it is premature and not reasonable to evaluate the settlement at this time, and the settlement presents negligible and/or insignificant benefit to

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

the creditors as a whole. These arguments do not address the arguments raised by the motion that the settlement is fair and equitable, given the hazards and cost of the litigation and that the settlement provides value to the estate, which has not been shown to be greater otherwise if the case is not settled, that is, the objecting creditors have not shown that there would be any greater benefit to the estate and creditors through litigation. Saying the settlement is of negligible and/or insignificant benefit does not show that there is a better alternative.

Appearances are required on 9/12/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#3.00 Cont'd hearing re: Motion for order authorizing and approving adequacy of debtor's disclosure statement describing debtor's first amended chapter 11 plan fr. 9/19/18, 10/3/18, 11/8/18

Docket 217

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits. Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

No tentative ruling as of 7/16/18. Appearances are required on 7/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#4.00 Cont'd hearing re: Plaintiffs' motion for authority to prosecute claims on behalf of the bankruptcy estate
fr. 10/3/18, 11/8/18

Docket 250

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits.
Appearances are required on 11/8/18, but counsel may appear by telephone.

No tentative ruling as of 10/2/18. Appearances are required on 10/3/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

#5.00 Cont'd status conference re: Management of chapter 11 case
fr. 9/19/18, 10/3/18, 11/8/18

Docket 1

Courtroom Deputy:

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits.
Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 9/17/18. No tentative ruling on the merits.
Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. No tentative ruling on the merits.
Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/16/18. No tentative ruling on the merits.
Appearances are required on 2/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/12/18. No tentative ruling on the merits.
Appearances are required on 1/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/10/17. No tentative ruling on the merits.
Appearances are required on 10/11/17, but counsel may appear by
telephone.

Revised tentative ruling as of 7/25/17. The court has reviewed debtor's status
report. No tentative ruling on the merits. Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

7/26/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits, but the court notes that the cash flow projection described as Exhibit A was not attached to the status report. Appearances are required on 4/19/17 to discuss setting of claims bar date and further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#6.00 Cont'd hearing re: Motion of defendant Ji Kun Lim's to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 9/19/18, 10/3/18, 11/8/18

Docket 13

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits. Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Movant(s):

Ji Kun Lim

Represented By
Mette H Kurth

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#7.00 Cont'd hearing re: Motion of defendant B & O Logistics to dismiss complaint for an order to show cause why plaintiff's should not be sanctioned for violating automatic stay fr. 9/19/18, 10/3/18, 11/8/18

Docket 8

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits. Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits. Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court agrees with defendants that actions to set aside fraudulent transfers of assets of a bankruptcy debtor belongs to the bankruptcy estate and may be the basis for a motion to dismiss because actions to collect upon assets of the estate are subject to the automatic stay and relief from stay has not been obtained by the plaintiffs. In re MortgageAmerica Corp., 714 F.2d 1266, 1275 (5th Cir. 1983); In re Curry & Sorenson, Inc., 57 B.R. 824, 827-828 (9th Cir. BAP 1986); but see, In re Colonial Realty Co., 980 F.2d 125, 130-132 (2nd Cir. 1992). As noted by plaintiffs, there is a division in circuit authority as to whether property of the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

bankruptcy estate includes property subject to a fraudulent transfer avoidance action is part of the bankruptcy estate before the avoidance action. See Peter Spero, *Fraudulent Transfers, Prebankruptcy Planning and Exemptions*, Section 3.3 (Westlaw online Sept. 2017 update), citing, *In re MortgageAmerica Corp.*, supra; *In re Colonial Realty Co.*, supra; *Rajala v. Garner*, 709 F.3d 1031 (10th Cir. 2013); *In re Allen*, 768 F.3d 274 (3rd Cir. 2014). There is no definitive case authority in the Ninth Circuit, though the Bankruptcy Appellate Panel of the Ninth Circuit has stated that a fraudulent transfer avoidance action to recover property fraudulently transferred by a bankruptcy debtor is an asset of the debtor's bankruptcy estate. *In re Curry & Sorenson, Inc.*, supra. The court will follow the BAP rule in *Curry & Sorenson, Inc.*, as the current law of the Ninth Circuit.

Having said this, however, before the court rules on defendants' motions to dismiss, the court notes that plaintiffs could obtain authority of this court to allow them as parties other than the trustee or debtor-in-possession to pursue litigation on behalf of the estate (as opposed for themselves only). *In re Curry & Sorenson, Inc.*, supra; *In re Spauding Composites Co.*, 207 B.R. 899, 903 (9th Cir. BAP 1997). If plaintiffs are seeking to enforce their own interests as creditors, the court would thus grant the motions to dismiss, but if plaintiffs are seeking authorization from the court to pursue the litigation on behalf of the estate and its creditors, they should file and serve an appropriate motion, and the court would consider it subject to hearing from other interested parties.

Deny request for an order to show cause and/or sanctions for violation of stay since the stay is not intended to protect non debtor parties. 11 U.S.C. 362(a); see also, *Ingersoll-Rand Financial Corp. v. Miller Mining Co.*, 817 F.2d 1424, 1427 (9th Cir. 1987). Moreover, it would be difficult to show civil contempt here that plaintiffs willfully violated a specific and definite order of the court by clear and convincing evidence, see, e.g., *In re Dyer*, 322 F.3d 1178, 1190-1191 (9th Cir. 2003), in bringing the fraudulent transfer action against defendants, given the uncertainty of the law as indicated by the lack of definitive case authority in the Ninth Circuit and otherwise divided circuit authority on the question of whether a fraudulently transferred property before avoidance is property of a debtor's bankruptcy estate circuit.

Appearances are required on 3/20/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#8.00 Cont'd hearing re: Motion for authority to prosecute claims on behalf of the bankruptcy estate
fr. 9/19/18, 10/3/18, 11/8/18

Docket 43

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits.
Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on
9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits.
Appearances are required on 7/18/18, but counsel may appear by telephone.

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but
counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#9.00 Cont'd hearing re: Joint motion of defendants and debtor to stay adversary proceeding and related deadlines and hearings fr. 9/19/18, 10/3/18, 11/8/18

Docket 44

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits. Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on 9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

No tentative ruling as of 6/18/18. Appearances are required on 6/19/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By
Joon M Khang

Defendant(s):

Hong Joo Ra

Represented By
Gregory S Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Michael Beom Lee

Represented By
Gregory S Kim

Sam Kim

Represented By
Gregory S Kim

Yoon Lee

Represented By
Gregory S Kim

Chang Won Choi

Represented By
Gregory S Kim

Joon Rhee

Represented By
Gregory S Kim

Plaintiff(s):

B&O Logistics, Inc.

Represented By
Caroline Djang

Ji Kun Lim

Represented By
Mette H Kurth

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

2:17-12539 Plain Leasing, Inc.

Chapter 11

Adv#: 2:18-01043 B&O Logistics, Inc. et al v. Ra et al

#10.00 Cont'd status conference re: Removal of state court action to the United States Bankruptcy Court, Central District, Los Angeles Division
fr. 9/19/18, 10/3/18, 11/8/18

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Updated tentative ruling as of 11/7/18. No tentative ruling on the merits.
Appearances are required on 11/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits.
Appearances are required on 10/3/18, but counsel may appear by telephone.

No updated tentative ruling as of 9/18/18. Appearances are required on
9/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits.
Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/18/18. No tentative ruling on the merits.
Appearances are required on 6/19/18, but counsel may appear by telephone.

Prior tentative ruling. The court continues the status conference on its own motion to 5/1/18 at 3:00 p.m. to be conducted with the further hearings on defendants' motion to dismiss and in light of plaintiffs' consideration of filing a motion for authorization to prosecute the fraudulent transfer claims on behalf of the estate. No appearances are required on 4/3/18.

Party Information

Debtor(s):

Plain Leasing, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Monday, December 17, 2018

Hearing Room 1675

10:00 AM

CONT... Plain Leasing, Inc.

Chapter 11

Joon M Khang

Defendant(s):

Hong Joo Ra	Pro Se
Michael Beom Lee	Pro Se
Sam Kim	Pro Se
Yoon Lee	Pro Se
Chang Won Choi	Pro Se
Joon Rhee	Pro Se

Plaintiff(s):

B&O Logistics, Inc.	Represented By Caroline Djang
Ji Kun Lim	Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

10:30 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#1.00 Hearing re: Motion for relief from stay
(SIX P.I.D. Inc. VS Debtor)

ACTION IN NON-BANKRUPTCY FORUM RE: 3217 Acalanes Avenue,
Lafayette, California

Docket 348

Tentative Ruling:

The court does not see the factual and/or legal bases for movant's requests for extraordinary relief in paragraphs 7 and 8 of the prayer for relief in the motion, and the court will require movant to file a supplemental brief to show that there are reasonable bases in fact and law for requesting such relief. See *In re Van Ness*, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 7 requesting any stay relief order is binding and effective in any future bankruptcy case, no matter who the debtor is. There is persuasive contrary authority not addressed in the moving papers. *In re Van Ness*, 399 B.R. at 905-907.

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 8 requesting retroactive relief as to all bankruptcy cases filed affecting the property retroactive to 6/20/16, which raises procedural due process issues for the court purporting to act in other bankruptcy cases.

Movant does not provide the legal and/or factual support for the request for retroactive stay annulment because it has failed to show that the legal standards of *National Environmental Waste Corp. v. City of Riverside* (*In re National Environmental Waste Corp.*), 129 F.3d 1052 (9th Cir. 1997) and *In re Gasprom, Inc.*, 500 B.R. 598 (9th Cir. BAP 2013) have been met.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

10:30 AM

CONT... **Grand View Financial LLC**

Chapter 11

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 8 requesting in rem stay relief under 11 U.S.C. 362(d)(4). There is persuasive, if not controlling, contrary authority not addressed in the moving papers indicating that a purchaser at a foreclosure sale like movant lacks standing to seek in rem relief under 11 U.S.C. 362(d)(4). In re Ellis, 523 B.R. 673, 678-680 (9th Cir. BAP 2014).

In order for the court to grant extraordinary relief requested by movant, the court will need to determine that there are factual and legal bases for such relief, which are not evident in the motion. The supplemental brief will be due on 1/8/19, one week before a continued hearing on 1/15/19 at 11:00 a.m.

The court would consider granting in rem relief under 11 U.S.C. 362(d)(1) and 11 U.S.C. 105(a) on a prospective basis only, but movant may be able to show entitlement to retroactive stay annulment relief as discussed above. The court does not make a finding that the petition was filed in bad faith for lack of sufficient evidence or that the claims are nondischargeable because stay relief proceedings are summary in nature and do not go to the merits of the claims. Otherwise, no tentative ruling on the merits.

Appearances are required on 12/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

10:30 AM

2:17-20125 Grand View Financial LLC

Chapter 11

#2.00 Hearing re: Motion for relief from stay
(SIX P.I.D. Inc. VS Debtor)

REAL PROPERTY RE: 3217 Acalanes Avenue,
Lafayette, California

Docket 349

Tentative Ruling:

The court does not see the factual and/or legal bases for movant's requests for extraordinary relief in paragraphs 5, 9, 11 and 14 of the prayer for relief in the motion, and the court will require movant to file a supplemental brief to show that there are reasonable bases in fact and law for requesting such relief. See *In re Van Ness*, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 11 requesting any stay relief order is binding and effective in any future bankruptcy case, no matter who the debtor is. There is persuasive contrary authority not addressed in the moving papers. *In re Van Ness*, 399 B.R. at 905-907.

Movant does not provide the legal and/or factual support for the request for extraordinary relief in paragraph 14 requesting retroactive relief as to all bankruptcy cases filed affecting the property retroactive to 6/20/16, which raises procedural due process issues for the court purporting to act in other bankruptcy cases.

Movant does not provide the legal and/or factual support for the request for retroactive stay annulment in paragraph 5 because it has failed to show that the legal standards of *National Environmental Waste Corp. v. City of Riverside* (*In re National Environmental Waste Corp.*), 129 F.3d 1052 (9th Cir. 1997) and *In re Gasprom, Inc.*, 500 B.R. 598 (9th Cir. BAP 2013) have been met.

Movant does not provide the legal and/or factual support for the request for

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

10:30 AM

CONT... Grand View Financial LLC

Chapter 11

extraordinary relief in paragraph 9 requesting in rem stay relief under 11 U.S.C. 362(d)(4). There is persuasive, if not controlling, contrary authority not addressed in the moving papers indicating that a purchaser at a foreclosure sale like movant lacks standing to seek in rem relief under 11 U.S.C. 362(d)(4). In re Ellis, 523 B.R. 673, 678-680 (9th Cir. BAP 2014).

Movant does not provide the legal and/or factual support for the request for stay relief under 11 U.S.C. 362(d)(2) to show debtor's lack of equity and that the property is not needed for the effective reorganization of debtor since there is no evidence of title, or precisely, debtor's lack of title, or valuation evidence of debtor's lack of equity since movant has the burden of showing lack of equity under 11 U.S.C. 362(g)(1).

In order for the court to grant extraordinary relief requested by movant, the court will need to determine that there are factual and legal bases for such relief, which are not evident in the motion. The supplemental brief will be due on 1/8/19, one week before a continued hearing on 1/15/19 at 11:00 a.m.

The court would consider granting in rem relief under 11 U.S.C. 362(d)(1) and 11 U.S.C. 105(a) on a prospective basis only, but movant may be able to show entitlement to retroactive stay annulment relief as discussed above. The court does not make a finding that the petition was filed in bad faith for lack of sufficient evidence or that the claims are nondischargeable because stay relief proceedings are summary in nature and do not go to the merits of the claims. Otherwise, no tentative ruling on the merits.

Appearances are required on 12/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Grand View Financial LLC

Represented By
Todd M Arnold
Lindsey L Smith
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

10:30 AM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#3.00 Hearing re: Motion for relief from stay
(Central Plaza, LLC VS Debtor)

Docket 200

***** VACATED *** REASON: Notice of withdrawal of motion filed on
12/11/18-mb.**

Tentative Ruling:

Off calendar. Motion withdrawn by notice filed on 12/11/18. No appearances are required on 12/18/18.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

10:30 AM

2:18-20863 Andrew Wilson

Chapter 7

#4.00 Hearing re: Motion for relief from stay
(Daimler Trust VS Debtor)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Andrew Wilson

Represented By
Kevin T Simon

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

10:30 AM

2:18-22101 Mary Palolo Anderson

Chapter 7

#5.00 Hearing re: Motion for relief from stay
(Federal National Mortgage Association VS Debtor)

Docket 13

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Mary Palolo Anderson

Represented By
Daniel King

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

10:30 AM

2:18-22723 Devyn M Guerrero

Chapter 7

#6.00 Hearing re: Motion for relief from stay
(Santander Consumer USA Inc. dba Chrysler Capital VS Debtor)

Docket 7

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a) (3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Devyn M Guerrero

Represented By
Lauren Rode

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

10:30 AM

2:18-22807 Tamara Bellnavis

Chapter 7

#7.00 Hearing re: Motion for relief from stay
(Santander Consumer USA Inc. VS Debtor)

Docket 7

Tentative Ruling:

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and available in hard copy in the courtroom. If movant does not appear, the court will assume that movant submits on the tentative ruling, which the court will adopt unless another party appears, which may result in setting a continued hearing.

Party Information

Debtor(s):

Tamara Bellnavis

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

1:30 PM

2:17-15730 Rosby Ruiz

Chapter 7

Adv#: 2:18-01111 Reynoza-Fonseca v. Ruiz

#8.00 Cont'd status conference re: Declaratory relief
fr. 6/26/18, 9/18/18, 10/23/18

Docket 1

***** VACATED *** REASON: Per stip & order dismissing adv. proceeding
entered on 12/12/18-mb.**

Tentative Ruling:

Off calendar. Adversary proceeding dismissed by stipulation and order entered on 12/12/18. No appearances are necessary.

Party Information

Debtor(s):

Rosby Ruiz

Represented By
Freddie V Vega
David J Richardson

Defendant(s):

Rosby Ruiz

Pro Se

Plaintiff(s):

Ageda Reynoza-Fonseca

Represented By
Steven J Shapero

Trustee(s):

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

1:30 PM

2:18-23172 Darryl Collins

Chapter 7

#9.00 Status conference re: Involuntary chapter 7 petition

Docket 1

Tentative Ruling:

No tentative ruling as of 12/17/18. Appearances are required on 12/18/18.

Party Information

Debtor(s):

Darryl Collins

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

2:00 PM

2:18-13300 The 17/21 Group, LLC

Chapter 11

#10.00 Hearing re: Motion for issuance of order directing Nobel Textile, Inc. and its counsel, Nico Tabibi of Law Offices of Nico N. Tabibi, APC, to show cause why they should not be held in civil contempt for willful violation of the automatic stay

Docket 47

Tentative Ruling:

There is no proof of service that debtor served respondent and its counsel as ordered by the court in the order to show cause, and therefore, the court will continue the hearing so debtor can make such service (despite BNC notice). Otherwise, no tentative ruling on the merits. Appearances are required on 12/18/18, but counsel may appear by telephone.

Party Information

Debtor(s):

The 17/21 Group, LLC

Represented By
Brett Ramsaur

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

2:30 PM

2:11-33861 Rita Gail Farris-Ellison

Chapter 7

Adv#: 2:12-01830 Clark v. Farris-Ellison et al

#11.00 Hearing re: Motion to compel inspection and to produce documents and responses from and to defendant/debtor Rita Gail Ellison-Farris; request for terminating sanctions

Docket 397

Tentative Ruling:

No tentative ruling as of 12/17/18. Appearances are required on 12/18/18.

Party Information

Debtor(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Defendant(s):

Rita Gail Farris-Ellison

Represented By
James Bryant

Just that EZ Financial

Pro Se

Lenders Escrow Inc

Pro Se

Does 1 Through 100 Inclusive

Pro Se

Plaintiff(s):

James Lee Clark

Pro Se

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

2:30 PM

2:13-37216 Albert Talassazan

Chapter 7

#12.00 Hearing re: First interim application of chapter 7 trustee for allowance and payment of fees and reimbursement of expenses for Peter J. Mastan

Docket 167

Tentative Ruling:

Approve first interim fee application of trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 12/18/18, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Albert Talassazan

Represented By
Kenderton S Lynch

Trustee(s):

Peter J Mastan (TR)

Represented By
Reem J Bello
Jeffrey I Golden
Christopher J Green

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

2:30 PM

2:13-37216 Albert Talassazan

Chapter 7

#13.00 Hearing re: Application for payment of interim fees and/or expenses for LEA Accountancy, LLP (11 U.S.C. §331)

Docket 169

Tentative Ruling:

Approve interim fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 12/18/18, but trustee, applicant and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Albert Talassazan

Represented By
Kenderton S Lynch

Trustee(s):

Peter J Mastan (TR)

Represented By
Reem J Bello
Jeffrey I Golden
Christopher J Green

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

2:30 PM

2:13-37216 Albert Talassazan

Chapter 7

#14.00 Hearing re: Second interim application for allowance and payment of fees and reimbursement of expenses of Weiland Golden Goodrich LLP, counsel for the trustee

Docket 172

Tentative Ruling:

Approve second interim fee application of general bankruptcy counsel for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 12/18/18, but trustee, applicant and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Albert Talassazan

Represented By
Kenderton S Lynch

Trustee(s):

Peter J Mastan (TR)

Represented By
Reem J Bello
Jeffrey I Golden
Christopher J Green

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

2:30 PM

2:16-24758 Swing House Rehearsal and Recording, Inc. and Philip

Chapter 11

#15.00 Cont'd hearing re: Motion to allow and pay administrative expense claims
fr. 9/4/18, 10/9/18, 11/13/18

Docket 453

***** VACATED *** REASON: Notice of withdrawal filed on 11/29/18-mb.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Swing House Rehearsal and

Represented By

Kurt Ramlo

Jeffrey S Kwong

Levene, Neale, Bender, Yoo & Brill LLP

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, December 18, 2018

Hearing Room 1675

2:30 PM

2:17-17938 Glenford Hilbrandt Flowers

Chapter 7

#16.00 Hearing re: Debtor's motion to convert case to chapter 13

Docket 52

Tentative Ruling:

Treat as a contested matter under FRBP 9014 and set a pretrial schedule, including discovery, if requested by the parties, and set a date for an evidentiary hearing since there are disputed material factual issues regarding debtor's good faith in requesting conversion. Although the original motion was not supported by evidence, debtor's reply sets forth evidence relating to his good faith in requesting conversion. Appearances are required on 12/18/18 to discuss scheduling, but counsel may appear by telephone.

Party Information

Debtor(s):

Glenford Hilbrandt Flowers

Represented By
Jan Peter Quaglia
Salvatore A Sciortino

Trustee(s):

Brad D Krasnoff (TR)

Represented By
Eric P Israel
Sonia Singh

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

10:00 AM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

#1.00 Cont'd status conference re: Chapter 7
fr. 11/6/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/17/18. No tentative ruling on the merits. Appearances are required on 12/19/18.

Prior tentative ruling. The court has reviewed the trustee's supplemental declaration filed on 10/18/18, which it finds helpful. Having reviewed the declaration, the trustee should be prepared how she plans to resolve any remaining claims disputes so the case will be soon in a posture to be closed. Appearances are required on 11/6/18.

Party Information

Debtor(s):

Kathleen Kellogg-Taxe

Represented By
Miri Kim Wakuta
Gregory M Salvato

Trustee(s):

Carolyn A Dye (TR)

Represented By
Carolyn A Dye (TR)
James A Dumas Jr
Miri Kim Wakuta
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

10:00 AM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

#2.00 Cont'd hearing re: Second interim application for fees and reimbursement of costs of Dumas & Kim, APC., counsel for trustee fr. 10/2/18, 11/6/18

Docket 481

Tentative Ruling:

Updated tentative ruling as of 12/17/18. No tentative ruling on the merits. Appearances are required on 12/19/18.

Revised tentative ruling as of 11/6/18. Deny without prejudice. The court is not inclined to approve applicant's large fee request of \$387,101.57 in this Chapter 7 bankruptcy case while there is no indication when and how the case will be closed and distributions will be made to general creditors, that there is no indication that there will be any meaningful dividend to general creditors, the firm has already received a large interim fee payment of \$450,000 already in this case and it appears that the lion's share of the assets of the estate is going to pay the firm's fees. See *In re Scoggins*, 517 B.R. 206, 221 and n. 13 (Bankr. E.D. Cal. 2014)("One may ask what is the harm in a disproportionate trustee or professional fee if nobody objects? The harm is the loss of public confidence in the integrity of the bankruptcy system if it comes to be regarded as managed primarily for the benefit of those who operate it."), citing and quoting R.R. Palmer, *A History of the Modern World* at 44 (Knopf 1963)("The [14th Century] Church faced the danger that besets every successful institution--a form of government, an army or navy, a business corporation, a labor union, a university, to choose modern examples--the danger of believing that the institution exists for the benefit of those who conduct its affairs."). The impression here is with this application, only the professionals are benefiting from the estate with no prospect of creditor distributions in sight. Appearances are required on 11/6/18, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

10:00 AM

CONT... Kathleen Kellogg-Taxe

Chapter 7

Debtor(s):

Kathleen Kellogg-Taxe

Represented By
Miri Kim Wakuta
Gregory M Salvato

Trustee(s):

Carolyn A Dye (TR)

Represented By
Carolyn A Dye (TR)
James A Dumas Jr
Miri Kim Wakuta
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

10:00 AM

2:12-51208 Kathleen Kellogg-Taxe

Chapter 7

#3.00 Cont'd hearing re: Second interim application for fees and reimbursement of costs of LEA Accountancy, LLP, accountant for chapter 7 trustee fr. 10/2/18, 11/6/18

Docket 484

Tentative Ruling:

Updated tentative ruling as of 12/17/18. No tentative ruling on the merits. Appearances are required on 12/19/18.

Revised and updated tentative ruling as of 11/6/18. In fairness to all professionals and creditors, deny without prejudice until trustee files a final report, all final fee applications are submitted and the case is ready to be closed. Appearances are required on 11/6/18, but trustee and applicant may appear by telephone.

Prior tentative ruling as of 11/5/18. Appearances are optional on 11/6/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Prior tentative ruling. Approve second interim fee application of accountant for trustee for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 10/2/18, but trustee and applicant may appear by telephone. Trustee or applicant to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Kathleen Kellogg-Taxe

Represented By
Miri Kim Wakuta
Gregory M Salvato

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

10:00 AM

CONT... Kathleen Kellogg-Taxe

Chapter 7

Movant(s):

LEA Accountancy, LLP

Pro Se

Trustee(s):

Carolyn A Dye (TR)

Represented By
Carolyn A Dye (TR)
James A Dumas Jr
Miri Kim Wakuta
Christian T Kim

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:12-28426 Chestnut, LLC

Chapter 11

#4.00 Cont'd hearing re: First and final application of Raymond H. Aver, a professional corporation, general insolvency counsel for Chestnut, LLC for allowance Of fees and reimbursement of costs
fr. 11/28/18

Docket 300

Tentative Ruling:

Approve first and final fee application of general bankruptcy counsel for debtor in possession for reasons stated in the fee application and for lack of timely written objection. Appearances are optional on 12/19/18, but counsel may appear by telephone. Counsel to submit a proposed order within 7 days of hearing.

Party Information

Debtor(s):

Chestnut, LLC

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:12-28426 Chestnut, LLC

Chapter 11

#5.00 Cont'd status conference re: Post confirmation of chapter 11 plan
fr. 8/8/18, 11/7/18, 11/28/18

Docket 59

Tentative Ruling:

Updated tentative ruling as of 12/17/18. No tentative ruling on the merits. Appearances are required on 12/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/7/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/11/18. Off calendar. The court has reviewed debtor's status report filed on 5/9/18 reporting that debtor is preparing a motion for final decree and requesting a 60 to 90 day continuance of the status conference for such motion to be noticed and heard. The court on its own motion continues the status conference to 8/8/18 at 11:00 a.m. No appearances are required on 5/16/18.

Updated tentative ruling as of 12/11/17. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 12/13/17, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/17. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 6/14/17, but counsel may appear by telephone.

Prior tentative ruling as of 12/12/16. The court has reviewed debtor's post-

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... Chestnut, LLC

Chapter 11

confirmation status report. No tentative ruling on the merits. Appearances are required on 12/14/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. Appearances are required on 6/15/16, but counsel may appear by telephone.

Prior tentative ruling as of 3/14/16. Appearances are required on 3/16/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/15/15. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 9/16/15, but counsel may appear by telephone.

Prior tentative ruling as of 5/11/15. Appearances are required on 5/12/15, but counsel may appear by telephone.

Party Information

Debtor(s):

Chestnut, LLC

Represented By
Raymond H Aver

Movant(s):

Chestnut, LLC

Represented By
Raymond H Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:13-29180 Sarkis Investments Company, LLC

Chapter 11

#6.00 Hearing re: Motion for reconsideration of order disallowing creditor Ghazar Zehnaly's proof of claim 7-1

Docket 589

Tentative Ruling:

Treat as a contested matter under FRBP 9014 and set an evidentiary hearing to examine movant regarding whether he has a reasonable explanation for why he did not file his motion earlier. The court does not have time on its law and motion calendar on 12/19/18 to take movant's testimony and will set a hearing to take his testimony, which the court expects will take about an hour. Appearances are required on 12/19/18, but counsel and self-represented parties may appear by telephone in accordance with the court's telephone appearance procedures posted online on the court's website.

Party Information

Debtor(s):

Sarkis Investments Company, LLC

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#7.00 Cont'd hearing re: Application for payment of interim fees and/or expenses for Illyssa I Fogel, debtor's attorney
fr. 11/13/18

Docket 548

Tentative Ruling:

Updated tentative ruling as of 12/17/18. No tentative ruling on the merits. Appearances are required on 12/19/18.

Revised tentative ruling as of 11/13/18. Off calendar. Continued by stipulation and order to 12/19/18 at 11:00 a.m. No appearances are required on 11/13/18.

Corrected tentative ruling. Off calendar. The court on its own motion continues the hearing on the application to 11/14/18 at 1:30 p.m. to be heard with hearings on other matters in the case on that date. No appearances are required on 11/13/18.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#8.00 Hearing re: Application for payment of interim fees and/or expenses for LEA
Accountancy, LLP

Docket 594

Tentative Ruling:

No tentative ruling as of 12/17/18. Appearances are required on 12/19/18.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#8.10 Cont'd pretrial conference re: Debtor's motion to disallow claims of Cindy S. Magleby (claim numbers 13, 7, and 12) fr. 11/14/18, 11/29/18, 12/13/18

Docket 390

Tentative Ruling:

Updated tentative ruling as of 12/18/18. No tentative ruling on the merits. Appearances are required on 12/19/18 to discuss status of representation of creditor Cindy Magleby in light of the pending motion to withdraw of her current bankruptcy counsel, but counsel may appear by telephone.

Prior tentative ruling as of 12/10/18. Off calendar. The court on its own motion continues the hearing in light of the pending motion of counsel for creditor Cindy Magleby to withdraw and of the need for the assigned judge to recover from recently scheduled but urgent dental surgery scheduled for 12/13/18. The hearing will be continued to 12/19/18 at 11:00 a.m. as a status conference to discuss the impact of the pending motion of counsel for creditor to withdraw and for rescheduling. No appearances are required on 12/13/18.

Revised and updated tentative ruling as of 11/13/18. Off calendar. Continued on the court's own motion by separate order to 11/29/18 at 1:30 p.m. No appearances are required on 11/14/18.

Updated tentative ruling as of 8/7/18. The parties filed unilateral pretrial statements rather than a joint pretrial statement. Before the court imposes monetary sanctions of \$250 against the culpable party/ies for failing to file a joint pretrial statement as required by LBR 7016-1, the court will afford the parties an opportunity to complete and file a joint pretrial statement as required and intends to continue the pretrial conference for this purpose. Appearances are required on 8/8/18, but counsel may appear by telephone.

Updated tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 5/1/18. The court has reviewed the unilateral pretrial statements of the parties, which are incomplete and inadequate and will not be approved. The "statements" should be a joint pretrial stipulation, and they lack the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court notes that claimant has a pending motion for abstention on her claims set for hearing on 3/21/18. If the court abstains, this itself will not postpone plan confirmation proceedings because the parties may request the court to estimate the claims for voting on plan confirmation. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

Prior tentative ruling. Treat as contested matter under FRBP 9014 because the declarations of the witnesses in support of the moving and opposing papers raise material issues of fact to be resolved in an evidentiary hearing. Treat the hearing on 12/13/17 as a status conference to set a pretrial and trial schedule. The court will not take testimony from witnesses on a law and motion hearing calendar on 12/13/17, and the parties may not call their witnesses to testify on 12/13/17. If any party believes that there are no genuine issues of material fact and the party is entitled to judgment as a matter of law, that party may seek summary judgment upon a proper motion brought pursuant to FRBP 7056 and 9014 and LBR 7056-1. If claimant believes that the court should permissively abstain from hearing this contested matter, then she should bring a proper motion for abstention rather than raising the request in her opposition to the objection. See *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166-1167 (9th Cir. 1990). However, it seems to the court that it could properly hear the objection to claim as a core proceeding under 28 U.S.C. 157(b)(2)(B) and not abstain under *In re Conejo Enterprises, Inc.*, 96 F.3d 346 (9th Cir. 1996). Appearances are required on

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

12/13/17 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#8.20 Cont'd hearing re: Disclosure statement
fr. 11/14/18, 11/29/18, 12/13/18

Docket 174

Tentative Ruling:

Updated tentative ruling as of 12/17/18. No tentative ruling on the merits. Appearances are required on 12/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/10/18. Off calendar. The court on its own motion continues the hearing in light of the pending motion of counsel for creditor Cindy Magleby to withdraw and of the need for the assigned judge to recover from recently scheduled but urgent dental surgery scheduled for 12/13/18. The hearing will be continued to 12/19/18 at 11:00 a.m. as a status conference to discuss the impact of the pending motion of counsel for creditor to withdraw and for rescheduling. No appearances are required on 12/13/18.

Revised and updated tentative ruling as of 11/13/18. Off calendar. Continued on the court's own motion by separate order to 11/29/18 at 1:30 p.m. No appearances are required on 11/14/18.

No updated tentative ruling as of 8/7/18. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. Off calendar. The court on its own motion continues the hearing to 8/8/18 at 11:00 a.m. No appearances are required on 8/1/18.

Updated tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/8/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 5/1/18. No tentative ruling on the merits. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. Appearances are required on 3/21/18, but counsel may appear by telephone.

Revised tentative ruling as of 3/6/18. The court has reviewed debtor's status update and request to continue the status conference. No tentative ruling on the merits. Appearances are required on 3/7/18 to discuss scheduling and the the impact of treatment on creditor Cindy Magleby's claims for plan voting and abstention among other things, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. The court notes that debtor filed a second amended disclosure statement on 1/30/18, 8 days before the further hearing on 2/7/18. Creditor Banc of California filed a response on 1/31/18 objecting to debtor's noticing approval of the amended disclosure statement for the hearing on 2/7/18, citing the court's oral ruling that creditors should be given 3 weeks notice of hearing on an amended disclosure statement. Appearances are required on 2/7/18 to discuss scheduling of further proceedings, including adequate time for creditors to respond to debtor's second amended disclosure statement and a scheduling of a further hearing on debtor's second amended disclosure statement to allow for review and comment by creditors and interested parties, but counsel may appear by telephone.

Prior tentative ruling as of 11/28/17. The court has reviewed debtor's status report. Appearances are required on 11/29/17 to discuss scheduling of further proceedings, including filing date for debtor's second amended disclosure statement, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling. Debtor in his status report filed on 2/22/17 indicated that he and his counsel are working on revising and amending the original disclosure statement to include a revised and updated liquidation analysis and taking into account resolutions of claims of creditors, including First Republic Bank (however, the court notes that it disapproved without prejudice the stipulation resolving claim of First Republic Bank in light of objection of creditor Cindy Magelby since it appears that debtor will need to bring a FRBP 9019 motion). Appearances are required on 3/1/17 regarding scheduling of further proceedings for an amended and revised disclosure statement, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

Adv#: 2:16-01259 Magleby v. Magleby

- #8.30** Cont'd pretrial conference re: Complaint to recover property of the estate and for turnover of property of the estate pursuant to section 542(a) of the United States Bankruptcy Code, 11 U.S.C. §542(a)
fr. 11/14/18, 11/29/18, 12/13/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/18/18. No tentative ruling on the merits. Appearances are required on 12/19/18 to discuss status of representation of creditor Cindy Magleby in light of the pending motion to withdraw of her current bankruptcy counsel, but counsel may appear by telephone.

Prior tentative ruling as of 12/10/18. Off calendar. The court on its own motion continues the hearing in light of the pending motion of counsel for creditor Cindy Magleby to withdraw and of the need for the assigned judge to recover from recently scheduled but urgent dental surgery scheduled for 12/13/18. The hearing will be continued to 12/19/18 at 11:00 a.m. as a status conference to discuss the impact of the pending motion of counsel for creditor to withdraw and for rescheduling. No appearances are required on 12/13/18.

Revised and updated tentative ruling as of 11/13/18. Off calendar. Continued on the court's own motion by separate order to 11/29/18 at 1:30 p.m. No appearances are required on 11/14/18.

Prior tentative ruling as of 8/7/18. The parties filed unilateral pretrial statements rather than a joint pretrial statement. Before the court imposes monetary sanctions of \$250 against the culpable party/ies for failing to file a joint pretrial statement as required by LBR 7016-1, the court will afford the parties an opportunity to complete and file a joint pretrial statement as required and intends to continue the pretrial conference for this purpose. Appearances are required on 8/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby

Chapter 11

Appearances are required on 5/8/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/18. The court has reviewed defendant's unilateral pretrial statement, which is incomplete and inadequate and will not be approved. The "statement" should be a joint pretrial stipulation, and it lacks the exhibit lists of the parties and objections to exhibits thereto. Appearances are required on 5/2/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/5/18. No tentative ruling on the merits. Appearances are required on 3/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/5/18. No tentative ruling on the merits. Appearances are required on 2/7/18, but counsel may appear by telephone.

No updated tentative ruling as of 11/28/17. Appearances are required on 11/29/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/25/17. Appearances are required on 9/27/17, but counsel may appear by telephone.

No updated tentative ruling as of 7/24/17. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Prior tentative ruling as of 11/14/16. No tentative ruling on the merits. Appearances are required on 11/16/16, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... Curtis C. Magleby
telephone.

Chapter 11

Prior tentative ruling. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/13/16, but counsel may appear by telephone.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Alan F Broidy
Illyssa I Fogel

Defendant(s):

Cindy Magleby

Pro Se

Plaintiff(s):

Curtis C. Magleby

Represented By
Alan F Broidy

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#9.00 Cont'd hearing re: Motion for approval of the sufficiency of debtor's chapter 11 disclosure statement describing debtor's plan of reorganization fr. 8/1/18, 10/3/18, 11/7/18

Docket 68

Tentative Ruling:

Updated tentative ruling as of 12/18/18. No tentative ruling on the merits. Appearances are required on 12/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/18. No tentative ruling on the merits. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling. Deny approval of disclosure statement because: (1) plan is patently unconfirmable because it modifies loan secured by lien on debtor's principal residence in violation of 11 U.S.C. 1125(b) (plan modifies contractual interest rate on first and second secured home loans) and it does not propose a cure of outstanding arrearages on home mortgages in accordance with 11 U.S.C. 1124(2)(10 year payment of arrearages is discriminatory compared with 5 year payment of general unsecured claims); (2) disclosure statement lacks adequate information regarding plan feasibility since no financial history or financial projections are provided. Appearances are required on 4/25/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By
David I Brownstein

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:16-26583 Dalton Evonne Grant

Chapter 11

#10.00 Cont'd status conference re: Management of chapter 11 case
fr. 8/1/18, 10/3/18, 11/7/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/18/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 12/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/5/18. The court has reviewed debtor's status report requesting a continuance of about 30 day to complete settlement discussions with the secured lender. No tentative ruling on the merits. Appearances are required on 11/7/18 so that other parties, including United States Trustee, may be heard on status, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/30/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 8/1/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits. Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 2/26/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/5/17. The court has reviewed debtor's status report filed on 12/4/17. No tentative ruling on the merits. Appearances are required on 12/6/17, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... Dalton Evonne Grant

Chapter 11

Updated tentative ruling as of 8/28/17. No tentative ruling on the merits. Appearances are required on 8/30/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/8/17, but counsel may appear by telephone.

Party Information

Debtor(s):

Dalton Evonne Grant

Represented By
Joshua L Sternberg

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#11.00 CONT'D EVIDENTIARY HEARING RE: Motion for relief from stay
(U.S. Bank Trust N.A. VS Debtor)
fr. 6/27/18, 8/22/18, 11/7/18

Docket 79

Tentative Ruling:

Updated tentative ruling as of 12/17/18. No tentative ruling on the merits.
Appearances are required on 12/19/18, but counsel may appear by
telephone.

Prior tentative ruling as of 11/6/18. No tentative ruling on the merits.
Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. No tentative ruling on the merits.
Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/3/18. On movant's claim under 11 U.S.C. 362(d)
(2), it has met its burden of proof under 11 U.S.C. 362(g)(1) to demonstrate
lack of equity in the subject property based on the stipulated value for the
property. Debtor as the party opposing relief has the burden on the remaining
issue of demonstrating under 11 U.S.C. 362(g)(2) and (d)(2) that the property
is necessary to its effective reorganization, i.e., a confirmed reorganization
plan is in reasonable prospect. Specifically, debtor must produce some
evidence that its plan could be confirmed by a reasonable bankruptcy judge.
In re Bonner Mall Partnership, 2 F.3d 899, 902 n. 4 (9th Cir. 1993). Debtor's

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... SK Vision LLC

Chapter 11

projected income based on its principal's consulting income of \$12,500 per month is not supported by any credible evidence for this projection. The demonstrated history in this case does not support the projection, and there is no credible explanation of how the income can be generated at that level to demonstrate plan feasibility under 11 U.S.C. 1129(a)(11). Debtor has not shown that it is likely to have at least one impaired class of claims to accept its plan under 11 U.S.C. 1129(a)(10) since there is no credible evidence indicating any creditor support for the plan (debtor's conclusory assertions are not evidence). Based on what has been submitted in the papers, the court is inclined to find that debtor has not met its burden of proof on the second prong of 11 U.S.C. 362(d)(2) that the property is necessary for its effective reorganization, i.e., that its plan could be confirmed by a reasonable bankruptcy judge and that the stay relief motion should be granted. Appearances are required on 1/4/18.

Prior tentative ruling as of 11/6/17. Appearances are required on 11/7/17, but counsel may appear by telephone.

No updated tentative ruling as of 10/24/17. Appearances are required on 10/24/17, but counsel may appear by telephone.

Prior tentative ruling. Treat as a contested matter under FRBP 9014 and set schedule of pretrial and trial proceedings. Appearances are required on 9/26/17 to discuss the parties' respective pretrial needs, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#12.00 Cont'd status conference re: Confirmation of plan
fr. 6/27/18, 8/22/18, 11/7/18

Docket 109

Tentative Ruling:

Updated tentative ruling as of 12/18/18. No tentative ruling on the merits. Appearances are required on 12/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/18. Because Secured Claim Classes 2A, 2B and 2C have not accepted the plan by voting in favor of the plan, debtor must meet the requirements of plan cramdown under 11 U.S.C. 1129(b). Since debtor has not submitted evidence showing that the nonaccepting secured claim classes are being treated fairly and equitably under 11 U.S.C. 1129(b) (2)(A)(i.e., declarations showing that treatment of these classes is fair and equitable), set evidentiary hearing for debtor to show that plan treats these creditors fairly and equitably. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. No tentative ruling on the merits. Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

No tentative ruling as of 4/23/18. Appearances are required on 4/25/18, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:16-26820 SK Vision LLC

Chapter 11

#13.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/27/18, 8/22/18, 11/7/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/17/18. No tentative ruling on the merits.
Appearances are required on 12/19/18, but counsel may appear by
telephone.

Prior tentative ruling as of 11/6/18. No tentative ruling on the merits.
Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 8/20/18. No tentative ruling on the merits.
Appearances are required on 8/22/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits.
Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 4/23/18. No tentative ruling on the merits.
Appearances are required on 4/25/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits.
Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling as of 1/3/18. No tentative ruling on the merits.
Appearances are required on 1/4/18, but counsel may appear by telephone.

Updated tentative ruling as of 12/11/17. No tentative ruling on the merits.
Appearances are required on 12/14/17, but counsel may appear by
telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits.
Appearances are required on 10/18/17, but counsel may appear by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... SK Vision LLC
telephone.

Chapter 11

Prior tentative ruling as of 7/24/17. No tentative ruling on the merits. Appearances are required on 7/26/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/22/17. Appearances are required on 5/24/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/17. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/3/17, but counsel may appear by telephone.

No tentative ruling as of 2/13/17. Appearances are required on 2/15/17, but counsel may appear by telephone.

Party Information

Debtor(s):

SK Vision LLC

Represented By
Aurora Talavera

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

#14.00 Cont'd status conference re: Management of chapter 11 case
fr. 7/18/18, 10/3/18, 11/7/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/18/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 12/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 11/6/18. No tentative ruling on the merits. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/1/18. No tentative ruling on the merits. Appearances are required on 10/3/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/16/18. No tentative ruling on the merits. Appearances are required on 7/18/18, but counsel may appear by telephone.

Prior tentative ruling as of 7/9/18. No tentative ruling on the merits. Appearances are required on 7/11/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/7/18. No tentative ruling on the merits. Appearances are required on 5/9/18, but counsel may appear by telephone.

Prior tentative ruling as of 3/19/18. No tentative ruling on the merits. Appearances are required on 3/21/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 2/28/18, but counsel may appear by telephone.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

Debtor(s):

People Who Care Youth Center, Inc. Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:18-14665 Hugo Hernandez

Chapter 11

#15.00 Cont'd status conference re: Management of chapter 11 case
fr. 6/27/18, 11/7/18

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/17/18. Off calendar. Continued on the court's own motion to 1/16/19 at 11:00 a.m. to be conducted with the hearing on debtor's disclosure statement. No appearances are required on 12/19/18.

Prior tentative ruling as of 11/6/18. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 11/7/18, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Hugo Hernandez

Represented By
Lionel E Giron

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:18-18712 Ben B. Safyari

Chapter 11

#16.00 Hearing re: Motion for appointment of a chapter 11 trustee

Docket 70

***** VACATED *** REASON: Voluntary dismissal of motion filed on
12/6/18-mb.**

Tentative Ruling:

Off calendar. Motion voluntarily dismissed by notice filed on 12/6/18. No appearances are required on 12/19/18.

Party Information

Debtor(s):

Ben B. Safyari

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:18-19570 Rich Honey, Inc.

Chapter 11

#17.00 Cont'd hearing re: Motion to value personal property and modify liens of Valley Economic Development Center and extinguish liens of Camel Financial, Pacoima Development Federal Credit Union, Employment Development Department, New Era Lending, LLC, and Yellowstone Capital West, LLC
fr. 12/12/18

Docket 74

***** VACATED *** REASON: Cont'd from 12/19/18 to 1/30/19 at 11:00
a.m. per stip & order entered on 12/14/18-mb.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rich Honey, Inc.

Represented By
Todd L Turoci

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker, Sr

Chapter 11

#17.10 Cont'd order to show cause why debtor Gary Wayne Barker, Sr., and/or his attorney Dennis McGoldrick should not be sanctioned for failure to appear at the October 17, 2018 post confirmation status conference
fr. 11/28/18, 12/5/18, 12/12/18

Docket 229

Tentative Ruling:

Updated tentative ruling as of 12/17/18. No tentative ruling on the merits. Appearances are required on 12/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/26/18. Appearances are required on 11/28/18, but counsel may appear by telephone.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E McGoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker, Sr

Chapter 11

#17.20 Cont'd hearing re: Application to convert case to chapter 7 based upon debtor's failure to comply with prior court order
fr. 11/28/18, 12/5/18, 12/12/18

Docket 232

Tentative Ruling:

Updated tentative ruling as of 12/17/18. No tentative ruling on the merits. Appearances are required on 12/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E McGoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

2:11-14196 Gary Wayne Barker

Chapter 11

#17.30 Cont'd status conference re: Post confirmation of plan
fr. 11/28/18, 12/5/18, 12/12/18

Docket 123

Tentative Ruling:

Updated tentative ruling as of 12/17/18. No tentative ruling on the merits. Appearances are required on 12/19/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/10/18. No tentative ruling on the merits. Appearances are required on 12/12/18, but counsel may appear by telephone.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/12/18 at 11:00 a.m. No appearances are required on 12/5/18.

Prior tentative ruling as of 11/26/18. Appearances are required on 11/28/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/15/18. No tentative ruling on the merits, but debtor will need to address the notice of delinquency filed by the United States Trustee and to state when he will be filing a motion for entry of final decree. Appearances are required on 10/17/18, but counsel may appear by telephone.

Prior tentative ruling as of 6/25/18. No tentative ruling on the merits. Appearances are required on 6/27/18, but counsel may appear by telephone.

Prior tentative ruling as of 5/21/18. No tentative ruling on the merits.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

Appearances are required on 5/23/18, but counsel may appear by telephone.

Updated tentative ruling as of 2/12/18. The court has reviewed debtor's status report. Debtor will need to address the notice of delinquency in filing United States Trustee reporting requirements filed on 1/2/18. Appearances are required on 2/13/18, but counsel may appear by telephone.

Prior tentative ruling as of 10/16/17. No tentative ruling on the merits. Appearances are required on 10/18/17, but counsel may appear by telephone.

No updated tentative ruling as of 9/11/17. Appearances are required on 9/13/17, but counsel may appear by telephone.

Updated tentative ruling as of 7/10/17. No tentative ruling on the merits. Appearances are required on 7/12/17, but counsel may appear by telephone.

Prior tentative ruling as of 5/1/17. No tentative ruling on the merits. Appearances are required on 5/3/17, but counsel may appear by telephone.

Prior tentative ruling as of 2/28/17. No tentative ruling on the merits. Appearances are required on 3/1/17, but counsel may appear by telephone.

Prior tentative ruling as of 1/23/17. No tentative ruling on the merits. Appearances are required on 1/25/17, but counsel may appear by telephone.

Updated tentative ruling as of 10/17/16. The court has reviewed debtor's status report and declaration and exhibits attached thereto. No tentative ruling on the merits. Appearances are required on 10/19/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/19/16. No tentative ruling on the merits. Debtor to explain whether the checks attached to his declaration filed on 9/16/16 have brought the plan entirely current. Appearances are required on 9/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 6/13/16. Appearances are required on 6/15/16, but

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

counsel may appear by telephone.

Prior tentative ruling as of 3/7/16. Appearances are required on 3/9/16, but counsel may appear by telephone.

Prior tentative ruling as of 2/1/16. The court has reviewed debtor's post-confirmation status report. No tentative ruling on the merits. Appearances are required on 2/3/16, but counsel may appear by telephone.

No updated tentative ruling as of 1/25/16. Appearances are required on 1/27/16, but counsel may appear by telephone.

Prior tentative ruling as of 11/23/15. The court has reviewed debtor's post-confirmation status report. Appearances are required on 11/25/15, but counsel may appear by telephone.

No updated tentative ruling as of 8/25/15. Appearances are required on 8/26/15, but counsel may appear by telephone.

Prior tentative ruling as of 4/13/15. Off calendar. The court has reviewed debtor's post-confirmation status report and sets a further status conference on its own motion to 8/26/15 at 11:00 a.m. A further status report is due 8/21/15. No appearances are required on 4/15/15.

Prior tentative ruling as of 1/26/15. Off calendar. The court has reviewed debtor's post-confirmation status report and continues the status conference on its own motion to 4/15/15 at 11:00 a.m. A further status report is due 4/8/15. No appearances are required on 1/28/15.

Prior tentative ruling as of 9/22/14. Appearances are required on 9/24/14, but counsel may appear by telephone.

No updated tentative ruling as of 7/21/14. Appearances are required on 7/23/14, but counsel may appear by telephone.

Prior tentative ruling as of 7/8/14. No tentative ruling on the merits. Appearances are required on 7/9/14, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

11:00 AM

CONT... Gary Wayne Barker

Chapter 11

Prior tentative ruling as of 5/5/14. The court has reviewed debtor's status report. No tentative ruling on the merits. Appearances are required on 5/7/14, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed debtor's post-confirmation status report and continues the status conference to 5/7/14 at 11:00 a.m. No appearances required on 11/6/13, but a further status report is due on 4/30/14.

Party Information

Debtor(s):

Gary Wayne Barker Sr

Represented By
Dennis E Mcgoldrick

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

1:30 PM

2:17-24737 Advance Specialty Care, LLC

Chapter 11

#18.00 Cont'd hearing re: Unsecured creditor, Emma Borges' motion for order re: convert the debtor's chapter 11 case to a chapter 7 case re: §1112 of the Bankruptcy Code fr. 11/14/18, 12/5/18

Docket 180

Tentative Ruling:

Updated tentative ruling as of 12/17/18. No tentative ruling on the merits. Appearances are required on 12/19/18.

Prior tentative ruling as of 12/17/18. No tentative ruling will be issued for the evidentiary hearing on creditor's motion to convert case to Chapter 7. Appearances are required on 12/19/18.

Prior tentative ruling as of 12/3/18. Off calendar. In recognition of President Trump's announcement of a National Day of Mourning for former President George H.W. Bush on Wednesday December 5, 2018, the court is continuing the hearings on Judge Kwan's hearing calendar that day in observance of the National Day of Mourning for former President Bush. The hearing on this matter is continued on the court's own motion to 12/19/18 at 1:30 p.m. No appearances are required on 12/5/18.

Prior tentative ruling. Overrule evidentiary objections of debtor to Polis declaration. The court is inclined to order debtor to file a written outline of how this case will reorganize with an estimated timetable by 11/21/18 and set a further and separate hearing on the motion on 11/28/18 at 10:00 a.m. to discuss the status of debtor's reorganization efforts. Debtor's opposition really did not show much in the way of the presence of a reasonable likelihood of reorganization to persuade the court to deny the motion at the hearing on 11/14/18, which is somewhat disconcerting, given the age of this case, now approaching its one year anniversary on 11/30/18. The court thinks debtor must make some showing of a reasonable likelihood of a confirmable plan within a reasonable period of time, or otherwise it might be convinced to grant the motion. Appearances are required on 11/14/18, but counsel may appear by telephone.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Wednesday, December 19, 2018

Hearing Room 1675

1:30 PM

CONT... Advance Specialty Care, LLC

Chapter 11

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver